

28 MAY 1947

I N D E X
of
EXHIBITS

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1 Wednesday, 28 May 1947

2 - - -

3 INTERNATIONAL MILITARY TRIBUNAL
4 FOR THE FAR EAST
5 Court House of the Tribunal
6 War Ministry Building
7 Tokyo, Japan

8 The Tribunal met, pursuant to adjournment,
9 at 0930.

10 - - -

11 Appearances:

12 For the Tribunal, same as before with the
13 exception of: HONORABLE JUSTICE JU-AO MEI, Member
14 from the Republic of China, now sitting.

15 For the Prosecution Section, same as before.

16 For the Defense Section, same as before.

17 - - -

18 (English to Japanese and Japanese
19 to English interpretation was made by the
20 Language Section, INTFE.)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: All of the accused are
4 present.

5 At page 23044 of the record, it appears
6 that the question put by Colonel Smirnov containing
7 Chinese names was misapprehended by me and as a
8 result an objection properly taken was disallowed.
9 The answer was given before the objection. At any
10 event, it would not matter which way the answer was,
11 but the answer will be disregarded.

12 Colonel Smirnov.

13 S A B U R O O T A, called as a witness on behalf
14 of the defense, resumed the stand and testi-
15 fied through Japanese interpreters as follows:

16 RECROSS-EXAMINATION

17 BY COLONEL SMIRNOV (Continued):

18 Q Mr. Witness, then the only difference you
19 see between these two maps is that on one of the maps
20 the small branch river is called Khalkhin-Gol and on
21 the other map it is called the Arshan-Gol River. Is
22 that all?

23 A If we went into details, there would probably
24 be more difference, but at the present time I have in
25 my hands a small map so it would be difficult to point

OTA

RECROSS

1 it out.

2 THE MONITOR: At present, I have the smaller
3 map only.

4 Q I do not like losing time speaking about
5 these small differences. I would like to ask you
6 the following: do you see any difference between
7 the border line, the new border line corresponding
8 to the agreement concluded between Molotov and TOGO
9 as shown on both of these maps?

10 A Generally, I think there is no difference.

11 COLONEL SMIRNOV: Now, may the witness be
12 shown the larger map which was produced by the
13 defense yesterday?

14 (Whereupon, a map was handed to
15 the witness.)

16 Q I would like to establish with what was
17 exhibit 767 compared. Is there on the larger map
18 any inscriptions or initials testifying that this
19 map was attached to the agreement between Molotov
20 and TOGO, on the larger map?

21 A There are none.

22 Q Are there on this larger map any marks
23 certifying the date of the publishing of this map
24 and the place where it was published?
25

A No, there is not.

OTA

RE CROSS

1 Q Then, on what grounds do you state that this
2 map strictly corresponds to the map attached to the
3 agreement between Molotov and TOGO?

4 A By memory.

5 Q Only from memory?

6 A Yes, just from memory.

7 Q Is your memory so sharp that after seven
8 years you can remember the details of the border
9 line and you can remember the map?

10 A I look at this map and I remember that it
11 was the map that was attached at that time -- after
12 seeing this map, I noted that this was the map, the
13 identical map.

14 Q Apparently, the maps attached to the Molotov-
15 TOGO agreement were signed by official representatives
16 who signed the agreement itself?

17 A As I said yesterday, the original map was
18 signed by TOGO and Molotov by initials.

19 Q The initials were put on both copies, on
20 two copies?

21 A Yes, as far as I remember.

22 Q Where is now the Japanese copy of the map
23 which has the initials of Molotov and TOGO?
24

25 A I do not know.

COLONEL SMIRNOV: I have no questions to the

OTA

RECROSS

1 witness, but I must say, your Honor, that in con-
2 nection with the misunderstanding which arose from
3 differences in the scales of these two maps, we will
4 send a request for the copy of the map attached to
5 the agreement between Molotov and TOGO and made in
6 the same scale as the original.

7 THE PRESIDENT: You mean you will get
8 Moscow's copy.

9 COLONEL SMIRNOV: Yes, your Honor, we will
10 do that.

11 THE PRESIDENT: Isn't that document attached
12 to the exhibit supposed to be a photostat?

13 COLONEL SMIRNOV: No, your Honor. As I
14 have stated before, the exhibit is a copy of the map
15 reduced five times.

16 THE PRESIDENT: But, you can do that with
17 photostats. I mean, you can have a large or small
18 picture according to taste.

19 MR. BLAKENEY: I think I should point out
20 to the Tribunal that there seems to be a misappre-
21 hension. The map attached to exhibit 767 is not a
22 reduced copy of anything. It is an original map,
23 printed in color.

24 THE PRESIDENT: If there is a certificate
25 covering it, we had better read the certificate.

OTA

RECROSS

1 Has Moscow given us the map that was actually used
2 by Molotov and TOGO at the time the agreement was
3 made?

4 COLONEL SMIRNOV: Your Honor, as I have
5 respectfully said before, exhibit 767 contains a
6 copy of the map reduced five times. It may be
7 seen from the inscription.

8 THE PRESIDENT: I am told that is con-
9 tested even by Members of the Court. You had better
10 get the Moscow map if you can, Colonel, the one that
11 was actually used, which is part of the agreement
12 itself, the original agreement, the original map.
13 The witness is suggesting that Moscow has given us
14 the wrong map. There is only one way of replying.
15 It is to produce the map from Moscow with the ini-
16 tials of the parties, if initials appear, as one
17 would expect.

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RECROSS

1 COLONEL SMIRNOV: Your Honor, we have already
2 sent request to Moscow for the photostat copy of the
3 map in the same scale with those inscriptions and
4 initials as are on the original.

5 THE PRESIDENT: Get the original, itself, if
6 you can. Otherwise, I suppose we will have to be
7 satisfied with a photostat. But we would like the
8 original.

9 COLONEL SMIRNOV: Though, your Honor, the map
10 attached to exhibit 767 absolutely exactly shows the
11 border line, and from that point of view it can't be
12 questioned by anybody.

13 THE PRESIDENT: Well, this witness questions
14 it. He said he was in Moscow at the time, he was
15 taking part and he saw the initials of Molotov and TOGO
16 on the map. They do not appear on any photostat or any
17 other map that I have seen.

18 This is a matter of vital importance. The
19 question of an aggressive war turns on it to some extent.

20 COLONEL SMIRNOV: May I respectfully mention,
21 your Honor, that the testimony given by this witness
22 as far as I know does not challenge the correctness
23 of the border line, but he says only about the dif-
24 ference in two geographical names.

25 THE PRESIDENT: But you do not change the

OTA

RE CROSS

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24 ference in two geographical names.

25 THE PRESIDENT: But you do not change the

OTA

RECROSS

1 lettering in the name in the course of photostating
2 the original. That is the point he is making, if I
3 appreciate it.

4 COLONEL SMIRNOV: Your Honor, I respectfully
5 draw the attention of the Tribunal to the fact that
6 the copy attached to exhibit 767 is not a photocopy,
7 but a copy of the map, as it is said on the map.

8 Your Honor, I can only add that the only dif-
9 ference which the witness noticed refers to an unimpor-
10 tant branch river on the Manchurian territory in the
11 direction of the town of Arshan.

12 THE PRESIDENT: We don't overlook the fact
13 that the witness may be mistaken when he says that big
14 map was the one used, or copy of the big map was used
15 by Molotov and TOGO. He may be mistaken. But if
16 he isn't, it would appear that the person copying it
17 did change the wording or the lettering of one of the
18 names, assuming he was making a copy of the original
19 and that an entirely different map was not substituted
20 and sent over here.

21 COLONEL SMIRNOV: As far as I can understand,
22 your Honor, that part of the river which passes near the
23 town of Arshan can be considered as a part of the Khalkhin-
24 Gol River itself and as a part of the branch river of
25 the Khalkhin-Gol River, which is called Halun-Arshan.

OTA

REDIRECT

1 THE PRESIDENT: Well, I have spent enough
2 time on it. I am not going to add any more.

3 Major Blakeney.

4 MR. BLAKENEY: I should like to put a few more
5 questions arising out of the latest cross-examination.

6 REDIRECT EXAMINATION

7 BY MR. BLAKENEY:

8 Q Mr. Witness, did the Soviet Foreign Office,
9 some time after the signature of the TOGO-Molotov
10 Agreement, send to the Japanese Embassy in Moscow for
11 transmission to Tokyo, copies of the map attached to
12 that agreement?

13 A Yes, they sent it.

14 Q How many copies?

15 A As far as I remember, two copies.

16 Q Did those maps pass through your hands
17 officially?

18 A Yes, they passed through my hands.

19 Q What disposition was made of them by the embassy?

20 A As far as I remember, those documents were sent
21 to the Foreign Office.

22 Q That is, the Japanese Foreign Ministry?

23 A Yes, just as you say.

24 Q Was one of the initialed copies also left with
25 or sent to the Japanese Embassy?

OTA

REDIRECT

1 A As far as I remember, the initialed documents
2 were sent -- maps were sent to the Japanese Foreign
3 Office.

4 THE MONITOR: The initialed original map
5 was sent to the Japanese Foreign Office.

6 Q That is, one copy thereof?

7 A Yes.

8 Q And were the maps, the two copies of the map
9 later furnished by the Soviet Foreign Office, identical
10 with the two copies initialed at the time of signa-
11 ture of the agreement?

12 A They were the same.

13 Q And were they so stated to be by the Soviet
14 Foreign Office?

15 A As far as I remember, just as you said.

16 Q Are you able to state from your recollection
17 whether the large map, exhibit No. 2660 for identifi-
18 cation, is one of the copies of, or is identical with,
19 the maps sent by the Soviet Foreign Office to the
20 embassy in Moscow?

21 A As I said yesterday, as far as I remember this
22 is the very map that was sent to us by the Soviet
23 Foreign Office.
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1 MR. BLAKENEY: I don't know whether the
2 Tribunal has heard enough on the subject but I will
3 offer to have this witness point out numerous differ-
4 ences between the two maps if desired. On the other
5 hand--

6 THE PRESIDENT: I suppose he has written
7 them out and can read them quickly. If so, let him
8 go ahead. Let him mark the difference with thick
9 red crosses on both maps including the crosses made
10 yesterday in black pencil.

11 Q Have you marked a number of additional
12 places which differ?

13 A Yes.

14 THE PRESIDENT: Are there any material
15 differences, Major Blakeney? If there is no differ-
16 ence about the position of the border line we may be
17 wasting time.

18 MR. BLAKENEY: I am very glad to state my
19 position on that matter, your Honor. There is only
20 one material difference in our view and that is the
21 legend pasted on the lower left-hand corner of the map
22 and purporting to show as part of the agreement a
23 border line antedating the agreement.

24 THE PRESIDENT: The contest is about that
25 legend.

1 MR. BLAKENEY: The contest is about whether
2 that legend appeared on the original map and was
3 therefore part of what was agreed to by Mr. TOGO.
4 There is no other reason for our interest in differ-
5 ences in geographical detail except on the question
6 of whether this is the actual map or a substituted
7 map.

8 THE PRESIDENT: If I understand the position
9 correctly, according to this witness, the legend
10 has been pasted on the wrong map anyhow.

11 Mr. Comyns Carr.

12 MR. COMYNS CARR: Your Honor, may I point
13 out in the interests of time that the whole of this
14 is a complete waste of time. My friend has at last
15 disclosed the object of these questions and he says
16 that the only object is to find out whether on the
17 original map the legend which appears on the copy
18 is there and he says that that is a matter about
19 which there is a contest. He has created the contest
20 out of his imagination. I checked last night the
21 record for the 16th of October last when this exhibit
22 767 was introduced by Minister Golunsky and I find
23 that he made no reference whatever to this legend.
24 The proof that he used to show that the Japanese
25 thoroughly understood and recognized the border line

OTA

REDIRECT

1 as being the border line having been in existence
2 before as being the same which was agreed upon in
3 this agreement consisted of maps published by the
4 Kwantung Army before 1939 in which they themselves
5 recognized and showed the border in accordance with
6 the Russian contention and in accordance with the
7 ultimate agreement. We don't know when this legend
8 was put upon the map and have so far placed no re-
9 liance upon it. If as a result of my friend's
10 creating this contest out of nothing we find out
11 that it was put on at the time, no doubt we shall
12 call attention to the fact and that will form addi-
13 tional proof of our case.

14 MR. BLAKENEY: Until such time as the imagin-
15 ary evidence just offered by counsel is presented,
16 I think it is of vital importance to produce such
17 proof as we are able that this legend, which is
18 certified to have been a part of this original map,
19 was not such.

20 THE PRESIDENT: You are meeting it as
21 additional proof by the prosecution. They relied
22 first on Kwantung Army maps. They mentioned those.
23 They tender this; they don't mention it but they are
24 entitled to rely on it as evidence and you must meet
25 it because you do not know what use may be made of it

OTA

REDIRECT

1 later.

2 MR. BLAKENEY: Yes, because if this stood
3 unchallenged in the record it would constitute an
4 admission.

5 THE PRESIDENT: The prosecution can abandon
6 that as part of their case and that will be the end
7 of it. That will indeed save time.

8 MR. BLAKENEY: I suggested that yesterday.

9 MR. COMYNS CARR: Your Honor, it never has
10 been and is not part of the prosecution case nor is
11 it certified, as my friend suggests, if one looks
12 carefully at the map that this legend was any part
13 of the original map. No reliance whatever has
14 been or will be placed upon it. It is purely a
15 contest created by his imagination.

16 MR. BLAKENEY: I am not willing to accept
17 the responsibility for this--

18 THE PRESIDENT: Do the prosecution contend
19 no longer that the dotted line boundary appeared on
20 that Molotov-TOGO Agreement?

21 MR. COMYNS CARR: No, your Honor, I am
22 afraid that is not quite right. The dotted line was
23 always there as the witness himself said. What was
24 not there, and it is not a question of contending no
25 longer, we never did contend that the description

OTA

REDIRECT

1 written at the bottom was on the original map. The
2 description of that dotted line--

3 THE PRESIDENT: That is clear now, Mr. Carr.

4 MR. COMYNS CARR: Your Honor, I think it is
5 common ground that the map on which the agreed boundary
6 line was superimposed, whether it was the print with
7 the spelling of a tributary one way or another, does
8 not matter. It was one which contained that dotted
9 line because, as the witness explained yesterday,
10 being a map supplied by the Soviet Foreign Office,
11 it naturally contained the boundary in the place
12 where they had always contended that it was.

13 THE PRESIDENT: It also appears upon the
14 map tendered by the defense as a copy of the original.

15 MR. COMYNS CARR: Yes, there is no question
16 about that, your Honor. That which I am explaining
17 never was and is not part of our case. It is the
18 words which have been at some time written on the
19 map in the bottom left-hand part purporting to describe
20 what that dotted line means, namely, the state frontier
21 between the Mongolian People's Republic and Manchukuo
22 in the Nomonhan River area prior to the agreement of
23 June 9, 1940. We don't know when those were put on
24 and it never has been from the beginning part of our
25 case that those words in any way bound the accused

OTA

REDIRECT

1 TOGO or any of the accused or the Japanese Government,
2 nor does the certificate purport to say that those
3 words are part of the original map.

4 MR. BLAKENEY: It is agreed that the dotted
5 line appears on the original map and all copies
6 thereof so far as I know. The line without the
7 legend is meaningless and requires testimony to
8 explain it; and when a map is certified to be a
9 map annexed to an agreement which is certified to
10 be correct, I cannot see that the legend is excluded
11 from the certification.

12 THE PRESIDENT: In view of the prosecution's
13 attitude we exclude it. You have nothing to meet
14 in that respect.

15 MR. BLAKENEY: My last question to the
16 witness:

17 Q I ask you in view of the discussion which
18 has occurred concerning maps and boundary lines
19 marked thereon to state to the Tribunal the meaning
20 of the statement in your affidavit that in accordance
21 with the TOGO-Molotov Agreement certain territory was
22 ceded by the Mongolian People's Republic to Manchukuo?

23 May I inquire whether the same rule applies
24 to the prosecution concerning one counsel making
25 objections and examination of a witness which applies

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to the defense?

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1 THE PRESIDENT: Colonel Smirnov.

2 COLONEL SMIRNOV: Your Honor, the prosecu-
3 tion objects to asking the witness questions not
4 arising from the cross-examination.

5 THE PRESIDENT: Mr. Blakeney has a right
6 to further re-examine, because there was further
7 cross-examination arising out of the permission
8 of the Court to ask fresh questions in the re-ex-
9 amination -- to produce fresh matter.

10 How does this further question arise out
11 of the re-cross-examination?

12 MR. BLAKENEY: The witness was cross-
13 examined, after the additional examination per-
14 mitted by the Tribunal, in regard to the meaning of
15 dotted lines and unbroken lines on the two maps in
16 his hands. At that time, as the record then stood,
17 the meaning of that dotted line was presumably as
18 was described in the legend on the map in exhibit
19 767. and the witness was cross-examined, I assume,
20 on that assumption.

21 THE PRESIDENT: I cannot see that it arises
22 out of the re-cross-examination. The objection is
23 upheld and the question disallowed.

24 MR. BLAKENEY: That is all with this wit-
25 ness. I request that he be released on the usual

1 terms.

2 THE PRESIDENT: He is released on the usual
3 terms.

4 (Whereupon, the witness was excused.)

5 MR. BLAKENEY: Defense document No. 1570,
6 "Report of Activities for 1939, First Section,
7 Bureau of European-Asiatic Affairs," is tendered
8 for identification, and an excerpt therefrom,
9 "Joint Communiqué (The Nomonhan Truce Agreement),"
10 bearing the same document number, is offered in
11 evidence.

12 THE PRESIDENT: Admitted on the usual
13 terms.

14 CLERK OF THE COURT: Defense document 1570
15 will receive exhibit No. 2661-A. The original
16 defense document No. 1570 is a book, from which
17 this is an excerpt.

18 (Whereupon, the document above
19 referred to was marked defense exhibit 2661-A
20 and received in evidence.)

21 MR. BLAKENEY: I shall read the Joint
22 Communiqué.

23 "Joint Communiqué (The Nomonhan Truce
24 Agreement).
25

"As a result of negotiations that have

1 recently been carried on between Mr. TOGO, the
2 Japanese Ambassador, and Mr. Molotov, the People's
3 Commissar for Foreign Affairs, the two parties,
4 that is, Japan and Manchoukuo on the one hand and
5 the U.S.S.R. and Mongolian Republic on the other,
6 have arrived at the following agreement:

7 "1. All military action on the part of
8 both the Japanese-Manchoukuoan forces and the
9 Soviet-Mongolian forces shall cease at 2 A.M., 16
10 September, Moscow time.

11 "2. The front of the Japanese-Manchoukuoan
12 forces and the Soviet-Mongolian forces shall be
13 restored to the status of 1 P.M., 15 September,
14 Moscow time.

15 "3. The representatives of the two forces
16 on the spot shall immediately start taking steps
17 necessary to realize the agreement 1 and 2 above.

18 "4. The prisoners of war and the dead
19 shall be exchanged. The representatives of the two
20 forces on the spot shall immediately make arrange-
21 ments for the exchange and execute it.

22 "Moreover, in the course of the negotia-
23 tions between Mr. TOGO and Mr. Molotov the two par-
24 ties have agreed to establish as soon as possible a
25 Committee composed of two Soviet-Mongolian repre-

1 representatives and two Japanese-Manchoukuoan representa-
2 tives, with the aim of determining the border line
3 of the Mongolian People's Republic and Manchoukuo
4 in the regions where there has recently been con-
5 flict. The Committee will start functioning as soon
6 as it is organized."
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1 The border agreement arrived at pursuant
2 to the last clause of the preceding document, and
3 in accordance with the long-standing and often-
4 expressed desire of Japan and Manchoukuo, has been
5 introduced in evidence as prosecution exhibit 767.
6 The exhibit was not read into the transcript, nor
7 do I propose to read from it, but shall content
8 myself with pointing out that this agreement for the
9 demarcation or, in the language of the document,
10 establishment of the frontier -- (not "redemarcation"
11 as suggested by Mr. Molotov) for the first time fixes
12 the frontier definitively.

13 Defense document No. 1524, which I now
14 offer in evidence, is a letter of enclosure from
15 Ambassador TOGO in Moscow to the Foreign Minister,
16 forwarding copies of the map annexed to the border
17 agreement.

18 THE PRESIDENT: Admitted on the usual terms.

19 MR. BLAKENEY: I believe there is an objection,
20 your Honor.

21 THE PRESIDENT: General Vasiliev.

22 GENERAL VASILIEV: I ask to have this
23 document rejected because it has no relevancy to the
24 issues of the case and is unnecessary. The map
25 attached to the agreement between Molotov and TOGO

1 is at the disposal of the Tribunal. I think it
2 was discussed at length. I know that the defense
3 is going to introduce the full text of the agree-
4 ment and of the protocol, document No. 1222, if
5 it is necessary.

6 Because the telegram mentions some agree-
7 ment concerning the point to the north of hill
8 1075, then, first of all, this is immaterial and
9 secondly, if the defense think otherwise, then the
10 Tribunal can admit only the agreement itself. Such
11 matters concerning borders are not settled in some
12 other ways.

13 I consider that the introduction of the
14 new document concerning this question will only
15 unnecessarily confuse the matter, and it will be a
16 mere waste of time. I ask to have the document
17 rejected.

18 THE PRESIDENT: Major Blakeney, do you
19 want to say anything?

20 MR. BLAKENEY: Yes, your Honor. First,
21 I must assure General Vasiliev that he is quite
22 mistaken in thinking he knows what evidence the
23 defense is going to introduce.

24 THE PRESIDENT: Is the document here
25 referred to on your order of proof?

1 GENERAL VASILIEV: That is so; document
2 No. 1222.

3 MR. BLAKENEY: As to the document presently
4 under consideration, I think its materiality is
5 quite apparent on its face as being an essential
6 link in the chain of proof of origin and authenticity
7 of the map to be tendered next.

8 THE PRESIDENT: By a majority the Court
9 overrules the objection and admits the document
10 on the usual terms.

11 CLERK OF THE COURT: Defense document
12 1524 will receive exhibit No. 2662.

13 (Whereupon, the document above
14 referred to was marked defense exhibit
15 No. 2662 and received in evidence.)

16 THE PRESIDENT: We will recess for fifteen
17 minutes.

18 (Whereupon, at 1045, a recess was
19 taken until 1100, after which the proceed-
20 ings were resumed as follows:)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Major Blakeney.

4 MR. BLAKENEY: I was about to read exhibit
5 No. 2662 which is a letter of 22nd July 1940, of
6 Ambassador TOGO Shigenori to Foreign Minister ARITA
7 Hachiro. I read the first two paragraphs. (Reading):

8 "Concerning the sending of copies of the map
9 annexed to the agreement for demarkation of the border
10 in the disputed area:

11 "I have sent to you by confidential official
12 message No. 217 under date of 20 July, the full text
13 of the agreement concluded on 9 June concerning the
14 demarkation of the border in the disputed area, and a
15 map annexed to it. The People's Commissariat for
16 Foreign Affairs has sent to me two copies of the map
17 in question, which I forward to you herewith. I ask
18 you to transmit one of the copies to the Government of
19 Manchoukuo."

20 One of the two copies of the map referred to
21 in Mr. TOGO's letter is now offered in evidence as
22 exhibit No. 2260 for identification.

23 THE PRESIDENT: Admitted on the usual terms.
24 General Vesiljev.

25 GENERAL VASILJEV: I want to know what map

1 is mentioned. I haven't seen it.

2 THE PRESIDENT: It is one tendered for
3 identification and marked exhibit No. 2660 for identi-
4 fication. It is the large map handled by the last
5 witness who said it is a copy of that attached to the
6 TOGO-Molotov Agreement, so I understand.

7 GENERAL VASILIEV: If I understood correctly,
8 this map is being introduced in evidence now?

9 THE PRESIDENT: That is so.

10 GENERAL VASILIEV: Your Honor, we object to
11 the introduction of this map. Your Honor, we object
12 most categorically to the admission in evidence of the
13 map. The origin of this map is not established and
14 even the year it was published in is not established
15 too. It does not comply, not only with the strict de-
16 mands which should be made of diplomatic maps, but
17 even with the elementary demands which any other doc-
18 uments must suit.

19 THE PRESIDENT: The witness testified that it
20 was a copy, an exact copy of that used in the negotia-
21 tions. That alone is sufficient for its admission.
22 These other matters may go to its weight.

23 The objection is overruled, and the document
24 admitted on the usual terms as already stated.

25 CLERK OF THE COURT: The map referred to,

1 being defense document No. 1481, is now received in
2 evidence and bears exhibit No. 2660.

3 (Whereupon, defense exhibit No. 2660
4 was received in evidence.)

5 GENERAL VASILIEV: May I say a few words,
6 your Honor?

7 THE PRESIDENT: No, it is too late now,
8 General. It is obviously admissible. I know there
9 may not be any contest about its admissibility, but
10 there may be some contest about its weight; that is
11 another matter.

12 GENERAL VASILIEV: You haven't heard my ob-
13 jection to the end. You haven't listened to my ob-
14 jection to the end. I was interrupted right in the
15 middle of my objection and I couldn't give the grounds
16 for my objection.

17 THE PRESIDENT: Well, there is a limit to the
18 time we can spend on objections that patently must
19 fail. And you were slow at objecting General, and
20 you have been on the last two occasions. I wait some
21 time after a document is tendered to see if there is
22 to be an objection. I waited some time before you arose.

23 GENERAL VASILIEV: I ask you to take into
24 consideration the language difficulties I have to cope
25 with. I cannot understand English without translation.

1 THE PRESIDENT: I allow for that, or we allow
2 for that, I should say, and therefore, until you
3 raised this question, I have said nothing about it.
4 But we are wasting a frightful lot of time on objections.

5 GENERAL VASILIEV: With all due respect to the
6 decision of the Tribunal I must say that we waste a
7 great deal, a greater lot of time on the discussion of
8 immaterial documents introduced by defense -- on the
9 initiative of the defense.

10 THE PRESIDENT: And also on untenable con-
11 tentions.

12 GENERAL VASILIEV: I pay all due respect to
13 your decision and I shall follow it, but I hold my
14 previous view. And I state that the statement cannot
15 be contested by a mere piece of paper not certified by
16 any signature.

17 THE PRESIDENT: One will be weighed against
18 the other.

19 MR. BLAKENEY: I have to point out to the
20 Tribunal that photographic copies of this map also are
21 not yet ready but will be distributed to all concerned
22 when received. And I must point out equally a typo-
23 graphical error in the English translation of the
24 certificate to this map in line 4 thereof, where the
25 number "236" should be "234". With that I leave the

1 map.

2 Concluding the Nomonhan question, with the
3 exception of the cross examination of witnesses re-
4 served, I next offer in evidence defense document
5 No. 1222, the Protocol between Manchoukuo and the
6 Mongolian People's Republic concerning the marking of
7 the border in accordance with the TOGO-Molotov
8 Agreement.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: Defense document No.1222
11 will receive exhibit No. 2663.

12 (Whereupon, the document above referred
13 to was marked exhibit No. 2663 and received in
14 evidence.)

15 MR. BLAKENEY: Our interest in this question
16 being only that, in accordance with the long-standing
17 proposal of Japan, the Manchoukuo-Mongolia frontier
18 was finally marked and settled, I shall read the first
19 paragraph only of this document, which is dated
20 15 October 1941. (Reading):

21 "SHIMOMURA, Shintei and POYAN, Mantu,
22 Plenipotentiaries of Manchoukuo, and DOLGI, Patou and
23 SMIRNOV, Dmitri Ivanowitch, Plenipotentiaries of
24 Mongolian People's Republic have delimited and marked
25 permanently the border between Manchoukuo and the

1 Mongolian People's Republic in 1940 and 1941 the spot
2 between Manchoukuo and Mongolian People's Republic
3 dated June 14, 1941."
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THE PRESIDENT: General Vasiliev.

1 GENERAL VASILIEV: If the Tribunal please, I
2 do not object to the document itself, but if the defense
3 counsel is going to read it all it is a mere waste of
4 time, and I would like to state only that.

5 Probably I haven't heard correctly. It
6 appears that only a part of the document will be read.
7 I apologize.

8 MR. BLAKENEY: The remainder of the document
9 deals with technical matters and will be omitted.

10 We now turn to the question of Japanese
11 military plans vis-a-vis the Soviet Union. While
12 we shall offer some evidence concerning earlier years,
13 emphasis will be placed, as it was placed by the
14 prosecution, upon the period from the outbreak of
15 the Russo-German War in June, 1941, to the Russian
16 attack on Japan in August, 1945.

17 I first offer in evidence defense document
18 1559-A, being a certificate by a Soviet authority
19 concerning the status of Major General AKIKUSA, Shun,
20 whose testimony was introduced by affidavit as prosecu-
21 tion exhibit 743, transcript page 7708, and whose
22 production for cross-examination has been requested
23 by the defense, but the request not yet ruled upon by
24 the Tribunal.
25

THE PRESIDENT: Admitted on the usual terms.

1 CLERK OF THE COURT: Defense document 1559-A
2 will receive exhibit No. 2664.

3 (Whereupon, the document above
4 referred to was marked defense exhibit
5 No. 2664 and received in evidence.)

6 MR. BLAKENEY: I point out that at page 7,708
7 of the transcript may be found the statement by the
8 Soviet prosecutor, made on 14 October 1946, that
9 information concerning the status of this witness, and
10 others subsequently referred to, would be furnished to
11 the Tribunal as soon as it became available. The
12 certificate is dated the 25th of January, 1947.

13 I now read it:

14 "Certificate.

15 "Major General AKIKUSA, Shun, former Chief
16 of the Special Service Agency in Kharbin, born in
17 1894, till August 29, 1946, a charge of criminal
18 offences was brought against him on suspicion that he
19 had committed crimes against the U.S.S.R., and in con-
20 nection with this preliminary investigation is being
21 conducted now."

22 I will omit the remainder.

23 I next offer in evidence defense document
24 1559-B, a certificate by a Soviet authority concerning
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1 the status of Lieutenant General MIYAKE, Mitsuharu,
2 whose testimony by affidavit was introduced as prosecu-
3 tion exhibit 699, transcript page 7,501.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Defense document 1559-B
6 will receive exhibit No. 2664-A.

7 (Whereupon, the document above referred
8 to was marked defense exhibit No. 2664-A and
9 received in evidence.)

10 MR. BLAKENEY: The certificate, omitting the
11 formal parts, is as follows:

12 "Lt. General MIYAKE, Mitsuharu, born in 1880,
13 former chief of the Central Headquarters of the fascist
14 organization the "Kyowakai" in Manchuria, was an
15 ordinary prisoner of war and before his death was con-
16 fined in a prisoners of war camp in the U.S.S.R."

17 I may state that I do not rely upon the self-
18 serving conclusion concerning the Kyowakai contained
19 in this document.

20 In this same connection, I offer in evidence
21 defense document 1559-C, a Soviet certificate of the
22 death of Lieutenant General MIYAKE.

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: Defense document 1559-C
25 will receive exhibit No. 2664-B.

1 (Whereupon, the document above
2 referred to was marked defense exhibit
3 No. 2664-B and received in evidence.)

4 MR. BLAKENEY: (Reading)

5 "Certificate of Death

6 "In the Register under the date of October 23,
7 1946 it is stated that MIYAKE, Mitsuharu died on
8 October 21, 1946 of chronic tuberculosis of lungs and
9 intestines."

10 The production of General MIYAKE also was
11 requested for cross-examination, but inasmuch as this
12 is now impossible, we move the Tribunal to strike from
13 the record and disregard this testimony of this dead
14 man.

15 Next I offer in evidence defense document
16 1559-L, a certificate by a Soviet authority concerning
17 the status of Lieutenant General YANAGITA, Genzo, whose
18 testimony by affidavit was introduced as prosecution
19 exhibit 723, record page 7,581.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: Defense document
22 1559-D will receive exhibit No. 2664-C.

23 (Whereupon, the document above
24 referred to was marked defense exhibit
25 2664-C and received in evidence.)

1 ("hereupon, the document above
2 referred to was marked defense exhibit
3 No. 2664-B and received in evidence.)

4 MR. BLAKENEY: (Reading)

5 "Certificate of Death

6 "In the Register under the date of October 23,
7 1946 it is stated that MIYAKE, Mitsuharu died on
8 October 21, 1946 of chronic tuberculosis of lungs and
9 intestines."

10 The production of General MIYAKE also was
11 requested for cross-examination, but inasmuch as this
12 is now impossible, we move the Tribunal to strike from
13 the record and disregard this testimony of this dead
14 man.

15 Next I offer in evidence defense document
16 1559-D, a certificate by a Soviet authority concerning
17 the status of Lieutenant General YANAGITA, Genzo, whose
18 testimony by affidavit was introduced as prosecution
19 exhibit 723, record page 7,581.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: Defense document
22 1559-D will receive exhibit No. 2664-C.

23 ("hereupon, the document above
24 referred to was marked defense exhibit
25 2664-C and received in evidence.)

1 MR. PLAMENLY: I read the certificate, omitting
2 the formal parts:

3 "Lt. General YANAGITA, Genzo, former Chief
4 of the Special Service Agency in Kharbin, born in
5 1893, till August 1946, was an ordinary prisoner of war:
6 on August 30, 1946 a charge of criminal offences was
7 brought against him on suspicion that he had committed
8 crimes against the U.S.S.R. and in connection with
9 this preliminary investigation is being conducted now."

10 In the interests of brevity, it may be said
11 that in the case of Lieutenant General YANAGITA and of
12 all other witnesses concerning whom certificates are
13 to be introduced, production for cross-examination by
14 the defense has been repeatedly requested.

15 I now offer in evidence defense document
16 1559-1, a certificate by a Soviet Authority concerning
17 the status of TAMBE, Rokuzo, whose testimony by
18 affidavit was introduced as prosecution exhibit 670,
19 transcript page 7,330.

20 THE PRESIDING: Admitted on the usual terms.

21 CLERK OF THE COURT: Defense document 1559-1
22 will receive exhibit No. 2664-D.

23 (Whereupon, the document above
24 referred to as marked defense exhibit
25 No. 2664-D and received in evidence.)

1 MR. BLAKENLY: I read the certificate, omitting
2 the formal parts:

3 "Lt. General YANAGITA, Genzo, former Chief
4 of the Special Service Agency in Kharbin, born in
5 1893, till August 1946, was an ordinary prisoner of war:
6 on August 30, 1946 a charge of criminal offences was
7 brought against him on suspicion that he had committed
8 crimes against the U.S.S.R. and in connection with
9 this preliminary investigation is being conducted now."

10 In the interests of brevity, it may be said
11 that in the case of Lieutenant General YANAGITA and of
12 all other witnesses concerning whom certificates are
13 to be introduced, production for cross-examination by
14 the defense has been repeatedly requested.

15 I now offer in evidence defense document
16 1559-1, a certificate by a Soviet Authority concerning
17 the status of TAKIBE, Rokuzo, whose testimony by
18 affidavit was introduced as prosecution exhibit 670,
19 transcript page 7,330.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: Defense document 1559-1
22 will receive exhibit No. 2664-D.

23 (Whereupon, the document above
24 referred to as marked defense exhibit
25 No. 2664-D and received in evidence.)

1 MR. BLAKENEY: This one is dated the 15th of
2 January, 1947, contents as follows:

3 "TAKEBE, Rokuzo, born in 1893, former Chief
4 of the General Affairs Bureau of the Manchoukuo Govern-
5 ment.

6 "TAKEBE is an internee. Soviet authorities
7 are conducting investigation concerning him, on
8 suspicion that he committed crimes against the U.S.S.R."

9 The next document to be offered in evidence
10 is defense document 1559-F, a certificate by a Soviet
11 authority concerning the status of General KITA,
12 Seichi whose testimony by affidavit was introduced
13 as prosecution exhibit 835, transcript page 8,127.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLARK OF THE COURT: Defense document 1559-F
16 will receive exhibit No. 2664-L.

17 (Whereupon, the document above
18 referred to was marked defense exhibit
19 No. 2664-L and received in evidence.)

20 MR. BLAKENEY: Omitting formal parts, the
21 certificate is as follows:

22 "KITA, Seichi, born in 1885, former Commander
23 of the 1st area army of the Kwantung Army, full General.
24 KITA, Seichi is prisoner of war. Soviet authorities
25 are conducting investigation concerning him on suspicion

1 that he committed crimes against the Soviet Union."

2 I now offer in evidence defense document
3 1559-G, a certificate by a Soviet authority concerning
4 the status of Lieutenant General MURAKAMI, Keisa,
5 whose testimony by affidavit was introduced as
6 prosecution exhibit 722, transcript page 7,575.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Defense document 1559-G
9 will receive exhibit No. 2664-F.

10 (Whereupon, the document above
11 referred to was marked defense exhibit
12 No. 2664-F and received in evidence.)

13 MR. BLAKINEN: Omitting the formal parts, it
14 is as follows:

15 "MURAKAMI, Keisaku, born in 1889, former
16 Commander of the 3d area army of the Kwantung Army,
17 Lt-General. MURAKAMI is prisoner of war. Soviet
18 authorities are conducting investigation concerning
19 him on suspicion that he committed crimes against the
20 Soviet Union."

21 I now offer in evidence defense document 1559-H,
22 a certificate by a Soviet authority concerning the
23 status of General USHIROKU, Jun, whose testimony by
24 affidavit was introduced as prosecution exhibit 703,
25 transcript page 7,515.

1 THE PRESIDENT: Admitted on the usual terms.

2 CLERK OF THE COURT: Defense document 1559-H
3 will receive exhibit No. 2664-G.

4 (Whereupon, the document above
5 referred to was marked defense exhibit
6 No. 2664-G and received in evidence.)
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1 Mr. BLAKENEY: The document, omitting the
2 formal parts, is as follows:

3 "USHIROKU, Jun, born in 1883, former commander
4 of the 3d area army of the Kwantung Army, full General.
5 USHIROKU, Jun, is prisoner of war. Soviet authorities
6 are conducting investigation concerning him on sus-
7 picion that he committed crimes against the U.S.S.R."

8 As my next document I offer in evidence defense
9 document 1559-I, a certificate by a Soviet authority
10 concerning the status of Major MATSUURA Kusuo, whose
11 testimony by affidavit was introduced as prosecution
12 exhibit 833, transcript, page 8092.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: Defense document 1559-I
15 will receive exhibit No. 2664-H.

16 (Whereupon, the document above
17 referred to was marked defense exhibit
18 No. 2664-H and received in evidence.)

19 Mr. BLAKENEY: The document, omitting formal
20 parts, is as follows:

21 "MATSUURA, Kusuo, born in 1917, former Chief of
22 the Ciphering Division of the Kwantung Army. MATSUURA,
23 Kusuo is an ordinary prisoner of war."
24

25 I now offer in evidence defense document 1559-J,
a certificate by a Soviet authority concerning the

1 status of Major General OTSUBA Kazumi, whose testimony
2 by affidavit was introduced as prosecution exhibit
3 847, transcript, page 8160.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Defense document 1559-J
6 will receive exhibit No. 2664-I.

7 (Whereupon, the document above
8 referred to was marked defense exhibit
9 No. 2664-I and received in evidence.)

10 MR. BLAKENEY: I read the document which,
11 omitting formal parts, is as follows:

12 "OTSUBA, Kazumi, born in 1896, former Chief
13 of Staff of the 3d area army of the Kwantung Army,
14 Major General. OTSUBA, Kazumi is an ordinary prisoner
15 of war."

16 I now offer in evidence defense document 1559-K,
17 a certificate by a Soviet authority concerning the
18 status of NOHARA Komakichi, whose testimony by affi-
19 davit was introduced as prosecution exhibit 811,
20 transcript, page 7993.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: Defense document 1559-K
23 will receive exhibit No. 2664-J.

24 (Whereupon, the document above
25 referred to was marked defense exhibit

No. 2664-J and received in evidence.)

1 MR. BLAKENEY: Omitting formal parts the
2 document is as follows:

3 "NOHARA, Komakichi, former official of the
4 Japanese Embassy in Berlin, born in 1899, in May 1945,
5 together with other officials of the Japanese Embassy
6 in Germany, had been transferred from the Soviet Occu-
7 pation Zone in Germany to Moscow and had been subject
8 to being further transferred to Japan, but refused to
9 return there and remained in the U.S.S.R. Soviet
10 authorities did not prosecute him. In May 1946, he,
11 on his own wish, went to live in Germany.
12

13 "His present address is not known."

14 I next offer in evidence defense document
15 1559-L, a certificate by a Soviet authority concerning
16 the status of Lieutenant General KUSABA Tatsumi, whose
17 testimony by affidavit was introduced as prosecution
18 exhibit 838, transcript, page 8164.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: Defense document 1559-L
21 will receive exhibit No. 2664-K.

22 (Whereupon, the document above
23 referred to was marked defense exhibit
24 No. 2664-K and received in evidence.)

25 MR. BLAKENEY: The certificate is as follows:

1 "KUSABA, Tatsumi, born in 1888, former Commander
2 of continental railroads in Manchuria, Lieutenant Gen-
3 eral. KUSABA, Tatsumi, during his interrogations
4 of March 5 and 20, 1946, was an ordinary prisoner of war."

5 Reference is made to the transcript, page 8163,
6 from which it appears that Lieutenant General KUSABA
7 committed suicide before his affidavit was introduced
8 in evidence.

9 I now offer into evidence defense document
10 1559-M, a certificate by a Soviet authority concerning
11 the status of Lieutenant General TOMINAGA Keoji, whose
12 testimony by affidavit was introduced as prosecution
13 exhibit 705, transcript, page 7526.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: Defense document 1559-M
16 will receive exhibit No. 2664-L.

17 (Whereupon, the document above
18 referred to was marked defense exhibit
19 No. 2664-L and received in evidence.)

20 MR. BLAKENEY: The certificate, omitting formal
21 parts, is as follows:

22 "Lieutenant General TOMINAGA, Keoji, former
23 Vice-War Minister of Japan, born in 1891, is an ordinary
24 prisoner of war and is confined in a prisoners of war
25

camp in the U.S.S.R."

1 Lieutenant General TOMINAGA was the one of
2 these witnesses whose production for cross-examination
3 was ordered by the Tribunal (transcript, page 7529,
4 10 October 1946), upon his recovery from illness of
5 which he was then certified to be suffering. Inasmuch
6 as the certificate of 25 January 1947 concerning his
7 status is silent on the subject of ill health, it
8 must be assumed that General TOMINAGA has some time
9 since recovered from his illness. This therefore seems
10 an appropriate time to move that, in view of the non-
11 compliance with the order of the Tribunal which was
12 the condition upon which the affidavit was received
13 in evidence, this ex parte testimony be stricken from
14 the record and disregarded for all purposes.
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THE PRESIDENT: General Vasiliev.

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2 GENERAL VASILIEV: After reading several of
3 these documents my learned colleague entered something
4 like a motion to the Tribunal.

5 THE PRESIDENT: That is the second motion he
6 has just mentioned. He moved one earlier but he went
7 on to read other documents.

8 GENERAL VASILIEV: As far as he has made motion,
9 I would like to make my objection to this motion. First,
10 this motion is made without previous notification, and
11 therefore against the established rules. Second, when
12 the affidavits were produced in evidence by the Soviet
13 prosecution the defense moved to produce the witnesses
14 for cross-examination, but the Court didn't grant the
15 applications except in one case -- in the case of
16 TOMINAGA. Now, it is not the prosecution's case, and
17 why should we produce the witnesses for cross-examina-
18 tion? I know that a number of these witnesses were
19 called by the defense as the defense witnesses in
20 their phase, and they acted accordingly, and particu-
21 larly in the case of TOMINAGA; but the Court didn't
22 permit to call TOMINAGA for cross-examination and
23 suggested to send interrogatory. As far as I know
24 no such interrogatory has been sent by the defense.
25 But that is up to them to decide whether to send such

1 interrogatory or not, but they haven't sent one. But
2 as the phase of the prosecution is over, the defense
3 called TOMINAGA as their witness, and the Court didn't
4 grant the application. Therefore, I submit the motion
5 made by defense should be rejected, and they should
6 follow the decision of the Tribunal. This decision
7 gives them right to send an interrogatory, and the
8 Tribunal will decide whether it is necessary to call
9 him as a witness here or not.

10 MR. BLAKENEY: The Soviet prosecutor mis-
11 states the record. The order was unequivocally made
12 by the Tribunal on the 10th of October, at the page of
13 the transcript which I have mentioned, for the pro-
14 duction of General TOMINAGA upon his recovery from
15 illness. The only further references to the matter
16 in the record are on the 21st of October, page 8179,
17 when at the close of the Soviet phase the defense
18 request for the production for cross-examination of all
19 these witnesses was renewed, and on the 24th of Janu-
20 ary, 1947, at the time when the prosecution rested,
21 page 16,260 of the record, when the motions were
22 renewed, and the production of General TOMINAGA
23 specifically was again inquired into. The matter was
24 again raised on the 14th of May in Chambers.
25

In regard to the second point mentioned by

1 the prosecutor, that the Court denied defense
2 requests for these witnesses, that also was a mis-
3 statement of the record. The facts are that many of
4 these witnesses had been requested by the defense
5 and the applications for subpoena filed as early as
6 July last, in which month some such subpoenas were
7 granted. If memory serves correctly, General
8 TOMINAGA was among those, but in any event among them
9 were several of the witnesses just referred to in
10 certificates. Those subpoenas issued, some of them
11 as I have said, in July and August, but in November
12 or December of last year application was made by the
13 prosecution on the grounds of the extreme difficulty
14 of traveling in Siberia in cold weather for the re-
15 calling of the subpoenas. Those subpoenas, of which
16 no return of any nature had ever been made, were then
17 recalled, and the defense were granted the privilege
18 of taking interrogatories of the witnesses in Siberia.
19 That question, in any event, has no connection whatever
20 with the question of noncompliance with the order of
21 the Tribunal in relation to General TOMINAGA's produc-
22 tion and is here the merest red herring thrown across
23 the trail of this argument.

24 MR. TAVENNER: If the Tribunal please, may I
25 be permitted to intervene at this point?

1 MR. BLAKENEY: If the Tribunal please, I
2 object to two counsel arguing the same point. We
3 are not permitted it.

4 MR. TAVENNER: I do not propose to argue
5 the point, your Honor.

6 THE PRESIDENT: You may make a simple
7 statement not in the nature of argument; otherwise,
8 on objection you would have to be precluded.

9 MR. TAVENNER: It is our view, if the
10 Tribunal please, that this is a motion as to which
11 notice should have been given the prosecution to
12 enable us to answer fully. We would like to have
13 the opportunity to prepare an answer on the merits
14 of the matter raised by counsel.

15 THE PRESIDENT: I think we would all
16 appreciate a short, clear argument. We would reserve
17 our decision in any event.

18 MR. BLAKENEY: In answer to the new point
19 made by Mr. Tavenner, I should like to state that
20 notice was given in the form of a personal conversa-
21 tion with General Vasiliev in his office some weeks
22 ago that we were insisting on compliance with this
23 order of the Tribunal and would raise the matter in
24 open court if compliance was not voluntarily made.
25

GENERAL VASILIEV: May I add a few words?

1 THE PRESIDENT: Well, now, really you should
2 not. I do not see any authority for your being heard,
3 but the Tribunal can decide what it likes. I would not
4 hear you because I do not think it is regular.

5 We intimated a desire to hear a short, clear,
6 well considered argument later on. This question of
7 deciding on the evidence of witnesses not subject to
8 cross-examination is a very important one. We need
9 all the help we can get, but we will not hear any
10 further argument today.

11 GENERAL VASILIEV: I respectfully draw the
12 Tribunal's attention to the fact that the defense did
13 not use their right or privilege to send the inter-
14 rogatories.

15 THE PRESIDENT: That is argument, General.

16 GENERAL VASILIEV: And by this they purposely --

17 THE PRESIDENT: You can put the short, clear,
18 and well considered argument to which I have referred,
19 General, later.

20 We will adjourn until half-past one.

21 (Whereupon, at 1200, a recess was
22 taken.)
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AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: All the accused are present except the accused TOJO, who, with the permission of the Court, is conferring with his counsel.

Major Blakeney.

MR. BLAKENEY: With apologies for again reverting to the question, I wish to make one further statement concerning the legend on the map attached to prosecution exhibit No. 767. This is that, having on at least one occasion stated that that legend illustrated a border line prior to the incident, transcript page 22,632, the prosecutor proceeded to cross-examine the witness HASHIMOTO, Gun, concerning the border as shown on the map. I call attention, therefore, to the need of caution in assaying the testimony given in such cross-examination and others of similar nature.

In connection with the preceding thirteen documents as a group, I wish to call attention to the fact that the information concerning the status of the witnesses is now from five to six months old.

1 Since the quite natural request of the defense to
2 have these witnesses produced for cross-examination was
3 first made known over seven months ago, and since it
4 is now more than twenty-one months since the surrender
5 of the Japanese forces in Manchuria, we feel that the
6 Tribunal will be interested in having later reports
7 of the status of these witnesses, that it may know
8 whether any more of them have died or committed suicide,
9 whether any more have been charged with the commission
10 of crimes against the USSR, and whether there is any
11 other apparent reason for their not having been
12 repatriated and made available for cross-examination.
13 I therefore request the Tribunal to direct the making
14 of such a report. I again request that such of them
15 as are still alive be produced for cross-examination,
16 and move to strike from the record and disregard the
17 testimony of such of them as are now dead or such as
18 shall not in future be so produced.

19 THE PRESIDENT: Pending further argument and
20 the Court's decision thereafter, no further action
21 will be taken.

22 MR. BLAKENEY: Defense document 1599, a
23 request from the Supreme Commander for the Allied Powers
24 to the Soviet member of the Allied Council for Japan
25 for the providing of certain documents subpoenaed by

1 the defense, is offered in evidence.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Defense document 1599
4 will receive exhibit No. 2665.

5 (Whereupon, the document above
6 referred to was marked defense exhibit
7 No. 2665 and received in evidence.)

8 MR. BLAKENEY: From the memorandum, which is
9 dated 6 February 1947, I read only the descriptions
10 of the documents requested.

11 "1. Pravda (newspaper), 1-31 August, 1935.
12 "2. Leninism Hrest matiya 'Xpectomatia',
13 1933."

14 Defense document 1600, another request of the
15 same date relating to other documents, is offered in
16 evidence.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Defense document 1600
19 will receive exhibit No. 2666.

20 (Whereupon, the document above
21 referred to was marked defense exhibit
22 No. 2666 and received in evidence.)

23 MR. BLAKENEY: Again I read only the descrip-
24 tion of the documents in question.
25

"1. Principles of Plans of Operations of the

1 the defense, is offered in evidence.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Defense document 1599
4 will receive exhibit No. 2665.

5 (Whereupon, the document above
6 referred to was marked defense exhibit
7 No. 2665 and received in evidence.)

8 MR. BLAKENEY: From the memorandum, which is
9 dated 6 February 1947, I read only the descriptions
10 of the documents requested.

11 "1. Pravda (newspaper), 1-31 August, 1935.

12 "2. Leninism Hrest matiya 'Xpectomatia',
13 1933."

14 Defense document 1600, another request of the
15 same date relating to other documents, is offered in
16 evidence.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Defense document 1600
19 will receive exhibit No. 2666.

20 (Whereupon, the document above
21 referred to was marked defense exhibit
22 No. 2666 and received in evidence.)

23 MR. BLAKENEY: Again I read only the descrip-
24 tion of the documents in question.
25

"1. Principles of Plans of Operations of the

1 Imperial Army (Taikoku Rikugun Sakusen Keikaku Yoko),
2 prepared in the autumns of the years 1940, 1941, 1942
3 and 1943 respectively, by the Japanese General Staff
4 and forwarded to the headquarters of the Kwantung Army;

5 "2. Principles for Preparation of Operations
6 of the Kwantung Army (Kantogun Sakusen Jumbi Yoko),
7 February 1942, prepared by the Japanese General Staff
8 and forwarded to the headquarters of the Kwantung Army;

9 "3. Operations Plan of the Kwantung Army
10 (Kantogun Sakusen Keikaku), prepared in the springs of
11 the years 1940, 1941, 1942, 1943 and 1944 by the head-
12 quarters of the Kwantung Army;

13 "4. Border Guard Regulations of the Kwantung
14 Army (Kokkyo Keibi Yoko), prepared in September or
15 October 1939 by the headquarters of the Kwantung Army;

16 "5. Kwantung Army Special Maneuvers (Kantogun
17 Tokubetsu Enshu, commonly referred to as Kantokuen),
18 prepared in the summer of 1941 by the Japanese General
19 Staff and forwarded to the headquarters of the Kwantung
20 Army;

21 "6. Report on situation, and attached documents,
22 prepared by HONJO, Shigeru, the Commander of the Kwan-
23 tung Army in Manchuria on the 18th of October 1931;

24 "7. Report on explosion of South Manchurian
25 Railway prepared by Investigation Committee of

1 Kwantung Army 23 September 1931."

2 The reply of the Soviet member, dated
3 20 February 1947, defense document 1582, is offered in
4 evidence.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLEK OF THE COURT: Defense document 1582
7 will receive exhibit No. 2667.

8 (Whereupon, the document above
9 referred to was marked defense exhibit
10 No. 2667 and received in evidence.)

11 MR. BLAKENEY: (Reading) "To: Headquarters,
12 Supreme Commander for the Allied Powers, Adjutant
13 General, Colonel John Cooley.

14 "Dear Colonel:

15 "By direction of the Member of the Allied
16 Council for Japan, Lieutenant General K. N. Derevyanko,
17 I have the honor to inform you that Memorandums Nos. 50
18 and 51 issued by General Headquarters, Supreme Commander,
19 on 6 February 1947 and signed by you, in which you
20 request documents necessary for the International Tri-
21 bunal, have been received by us, and that, in accordance
22 with your request, an inquiry was submitted to Moscow.

23 "In accordance with the information received
24 by us, I have the honor to inform you that a search is
25 being conducted for the documents requested by you in

1 the first memorandum (newspaper 'Pravda' and the
2 'Khrestomatia Leninizma'), but due to the fact that
3 not all of the archives evacuated during the war have
4 been returned to their original locations, the search
5 for these documents presents a considerable difficulty.

6 "As to the documents of the Kwantung Army
7 Headquarters listed in the second memorandum, General
8 Headquarters, Supreme Commander, I regret to inform
9 you that these documents are not at the disposal of
10 the Soviet Government as they were destroyed by the
11 Japanese at the time of the capitulation.

12 "Sincerely yours, Kurkov," and so forth.

13 This correspondence is offered in order to
14 lay the foundation for the introduction of secondary
15 evidence of the contents of the documents of the head-
16 quarters of the Kwantung Army which were destroyed, and
17 of the newspaper Pravda, which seemingly cannot be
18 found in the USSR, although it is the official organ
19 of the Communist Party and is reputed to have a consi-
20 derable circulation in that country.

21 I refer to prosecution exhibit 831, transcript
22 page 8,075, a certificate that the files of the Japanese
23 General Staff and War Ministry bearing upon the subject
24 of war plans against the USSR are not in the possession
25 of the official custodian of such documents. This

1 certificate includes all files of the first and second
2 departments of the General Staff and correspondence
3 bearing upon military preparations of Japan against the
4 USSR.

5 As treating of the matter in more detail, I
6 offer in evidence defense document 1603, the certificate
7 of the Chief of the Archives Section of the First
8 Demobilization Board that the specific documents sub-
9 poenaed by the defense cannot be had of the official
10 custodian of such documents.

11 THE PRESIDENT: There are no copies for the
12 Judges.

13 MR. BLAKENEY: Well, if there are no copies,
14 we will have to pass it. It was distributed some days
15 ago, I believe.

16 Next I tender for identification the newspaper
17 Izvestia, the official organ of the USSR, for
18 16 January 1936, bearing the number defense document
19 1569; and I offer in evidence an excerpt therefrom
20 bearing the same document number, to prove that as
21 early as that time the USSR was making powerful
22 military preparations in the Far East.

23 THE PRESIDENT: General Vasiliev.

24 GENERAL VASILIEV: I object to the introduction
25 of this document on the ground of its irrelevancy.

1 THE PRESIDENT: Well, we haven't seen the
2 document yet.

3 (Whereupon, documents were handed
4 to the Members of the Tribunal.)

5 THE PRESIDENT: What is the importance of the
6 document, Major Blakeney?

7 MR. BLAKENEY: The document is offered to show
8 that the USSR was then making plans for military
9 self-sufficiency of the Far East as a preliminary to
10 prove that Japanese plans were drawn from the point
11 of view of defense.

12 THE PRESIDENT: By a majority, the Court
13 accepts the -- there is one not voting, unfortunately.
14 By a majority, the Court overrules the objection and
15 admits the document.

16 CLERK OF THE COURT: The newspaper Izvestia
17 will receive exhibit No. 2668 for identification only.
18 Defense document 1569, excerpt therefrom, will receive
19 exhibit No. 2668-A.
20

21 (Whereupon, the document above
22 referred to was marked defense exhibit
23 No. 2668 for identification; and the excerpt
24 therefrom was marked defense exhibit No.
25 2668-A and received in evidence.)

MR. BLAKENEY: I read the document.

1 "II. Consolidation of strength of Red Army.

2 "The regulation concerning the necessity of
3 being prepared for simultaneous and entirely indepen-
4 dent defense on both fronts, the distance between
5 which is 10,000 KM., remained in force."
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2 MR. BLAKENEY: I now offer in evidence
3 defense document 1378, being an excerpt from the
4 Soviet Union Year-Book for 1943-44, as evidence of
5 specific details of the Soviet armament and prepar-
6 ation for war.

7 I will withdraw the tender until such time
8 as copies can be obtained. I am sorry.

9 At this point I wish to refer to exhibit
10 2613, transcript page 22468, the expression by
11 General ITAGAKI of the Kwantung Army's view of
12 these military preparations by the Soviet Union,
13 and I wish especially to call attention to the fact
14 that the Japanese Army was, as was stated by General
15 ITAGAKI, influenced and motivated in its actions by
16 precisely the Soviet military preparations referred
17 to in the preceding document, which I have not yet
18 offered but will offer in a moment.

19 I make particular reference to paragraph 2
20 of exhibit 2613 which, however, has been read into
21 the record and therefore may not be read again.

22 Nevertheless, the Japanese Government enter-
23 tained nothing but the most peaceful designs toward
24 the USSR as is clearly apparent from prosecution
25 exhibit 704, the four ministers' foreign-policy
~~decision, from which I read again, this time para-~~

1 graphs 1 and 1-C from page 3, as follows.

2 THE PRESIDENT: Don't read them again if
3 they have been read already.

4 MR. BLAKENEY: They have not been read so
5 far as I am aware. (Reading)

6 "1. Taking consideration of the present
7 international and internal conditions, Japan must
8 be strictly cautious towards the Soviet Union not
9 to give rise to further troubles of its own accord,
10 but to endeavor to solve pending problems by means
11 of peaceful measures exclusively."

12 Paragraph 1-C:

13 "Furthermore, when the Soviet Union mani-
14 fests her wish to conclude a non-aggressive treaty,
15 Japan shall state plainly that it would rather wel-
16 come such treaty provided that the numerous pending
17 problems of importance between Japan and the Soviet
18 Union including such a readjustment of the Soviets
19 war preparations in the Far East as would give a
20 balance of power between the two countries would be
21 settled."

22
23 On the same point, I offer defense document
24 206-C(3), an excerpt from the diary of Ambassador
25 Grew, which is exhibit 2306 for identification.

THE PRESIDENT: General Vasiliev.

1 GENERAL VASILIEV: If the Tribunal please,
2 I object to this document on the ground that it has
3 no probative value. It is an excerpt from a book by
4 Mr. Grew. Mr. Grew had only an accidental talk with
5 HIROTA. HIROTA himself does not interest us, and
6 his opinions expressed in an accidental talk can not
7 have any importance. I ask to reject the document.

8 MR. BLAKENEY: This is a conversation be-
9 tween the Ambassador of the United States in Japan
10 and the Premier of Japan. Whether accidental or
11 deliberately planned, the conversation was held,
12 and the Premier made statements of the national
13 policy to the Ambassador. It is difficult to see
14 how the probative value could be greater.

15 THE PRESIDENT: By a majority, the Court
16 upholds the objection and rejects the document.

17 What is the condition of Mr. Grew's health?

18 MR. BLAKENEY: I have no information on
19 that point.

20 Until such time as the Tribunal shall have
21 given its ruling on the request for the production of
22 absent witnesses of the prosecution's Soviet phase,
23 I shall use their affidavits so far as they are of
24 service to the defense. If, finally, it shall be
25 determined to reject them as evidence, of course

1 the parts so used by the defense will as well be
2 stricken.

3 THE PRESIDENT: Adverting to Mr. Grew, I
4 think that if he is well enough to come here, we
5 would like to see him in the box. Failing that,
6 we would like to see him interrogated fully.

7 MR. BLAKENEY: Yes. The defense, of course,
8 have no means of bringing him, but we also should
9 like him brought in, in accordance with our past
10 requests.

11 THE PRESIDENT: Those who are personally
12 acquainted with him seem to think his health is
13 not good.

14 MR. BLAKENEY: On the question of the
15 aggressive or defensive attitude of the Kwantung
16 Army in Manchuria, I shall read from prosecution
17 exhibit 670, the affidavit of TAKEBE Rokuzo, the
18 last question and answer on page 1:

19 "Q What was the fundamental mission of
20 the Kwantung Army?

21 "A The purpose of the Kwantung Army be-
22 ing stationed in Manchuria was for defense, and it
23 maintained an offensive stand to attain this purpose.
24 In Showa 19 (1944) the Greater East Asia War became
25 very difficult and disadvantageous; and at the same

1 time the Kwantung Army changed its attitude to a
2 defensive one. Until the Nomonhan Incident, the
3 Kwantung Army had taken an offensive stand towards
4 the USSR, but after the above incident it changed
5 to an attitude of aggressive defense. After Showa
6 19 (1944) it became absolutely on the defensive."
7

8 The documents having arrived, I now renew
9 the offer of defense document 1603, the certificate
10 of the 1st Demobilization Board.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Defense document 1603
13 will receive exhibit No. 2669.

14 (Whereupon, the document above re-
15 ferred to was marked defense exhibit No.
16 2669 and received in evidence.)

17 MR. BLAKENEY: The documents in question are:

18 "1. Instructions to the Commander-in-Chief
19 of the Kwantung Army Principles of plans of operations
20 of the Imperial Japanese Army, (Teikoku Rikugun
21 Sakusen Keikaku Yoryo) 1940, 1941, 1942, 1943.

22 "2. Plans of operation of the Kwantung
23 Army (Kantogun Sakusen Keikaku), 1940, 1941, 1942,
24 1943, 1944.

25 "3. Border Guard Regulations, Kwantung Army.
(September-October 1939).

1 "4. Principles for Preparation of Operations,
2 Kwantung Army. (February 1942)."
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1 I shall also renew the tender of defense
2 document 1378, the excerpt from the Soviet Union
3 Year Book.

4 THE PRESIDENT: General Vasiliev.

5 GENERAL VASILIEV: If the Tribunal please,
6 I object to the introduction of this document. This
7 year book is a Japanese year book published by some
8 private publishing office -- Japanese publishing
9 office. The data concerning the USSR and the elements
10 of the Soviet Army are given in these excerpts, the
11 source of this data not being indicated. In some
12 cases it is stated that the data are taken allegedly
13 from the Soviet press, but one cannot even see in
14 what publication it was published and therefore it
15 is impossible to check and to establish what was
16 published and what is an idle invention of the author
17 of this article.

18 In some passages of this article its author
19 attempts to elucidate, with some purpose in view,
20 some aspects of the USSR's internal affairs which
21 are absolutely irrelevant to the issues involved in
22 this case. The article on the whole is more like an
23 essay written in light manner and designed at
24 producing cheap sensation and pursuit of the purpose
25 of propaganda than it is a serious study of the question.

1 The article in general being of this type,
2 the conclusions contained therein, and being of the
3 same kind as the contention that the Red Army
4 put an end to its defensive policy and assume an
5 offensive attitude, etc, sounds absolutely unconvincing.
6 These stipulations to the effect that after 1922
7 the policy of the USSR had been concentrated on
8 Europe and later was transferred to the Far East,
9 etc, are of the same kind. These are unfounded
10 allegations which have no probative value and therefore
11 I ask for the rejection of the document.

12 THE PRESIDENT: Major Blakeney.

13 MR. BLAKENEY: Early in this Trial, over
14 objection of the defense, the Tribunal admitted
15 in evidence the so-called Japan Year Book which stands
16 in precisely the case of this so-called Soviet Union
17 Year Book.

18 THE PRESIDENT: The certificate is signed
19 by a Japanese; is it not? He says that he wrote
20 the book and had it printed and published. I will
21 read the certificate: "I hereby certify that the
22 book hereto attached, written in Japanese by Nisso
23 Tsushin Sha, consisting of 1062 pages, entitled the
24 'Soviet Union Year-Book' and issued on the 25th of
25 October, 1943, is a book which I wrote and which I

1 had printed and published.

2 "Certified at Tokyo, on this 24th day of
3 April, 1947

4 "MIYASHITA, Kanichiro"

5 MR. BLAKENEY: Yes, the book as I was saying
6 stands in precisely the same ground as the Japan
7 Year Book, written by individuals and published
8 by a private publishing company on the basis of
9 such data as could be gathered by such sources as
10 is not divulged in either instance.

11 THE PRESIDENT: A Japanese Year Book
12 could be written in Tokyo by Japanese, but not the
13 Soviet Year Book.

14 MR. BLAKENEY: I repeat that the Japan
15 Year Book was shown at the time to have been printed
16 by a private company operating for profit in Tokyo.
17 It had no official standing or status of any nature
18 whatever any more than this book.

19 THE PRESIDENT: If you produce a Soviet
20 Union Year Book, printed and published in Moscow
21 by Russians, we will probably treat it in the same
22 way as we treated the Japan Year Book.

23 The Tribunal upholds the objection and
24 rejects the document.

25 MR. BLAKENEY: I now call as a witness

KASAHARA

DIRECT

1 KASAHARA, Yukio, who will give testimony on these
2 same points. His testimony is embodied in defense
3 document 1151. I remind the Tribunal that the
4 witness, General KASAHARA, has already been sworn
5 as a witness on the 10th of October, 1946.

6 THE PRESIDENT: You are still on your
7 former oath.

8 - - -

9 Y U K I O K A S A H A R A, recalled as a
10 witness on behalf of the defense, resumed
11 the stand and testified through Japanese
12 interpreters as follows:

13 DIRECT EXAMINATION

14 BY MR. BLAKENEY:

15 MR. BLAKENEY: I must call the attention of
16 the Tribunal to one typographical error in the
17 affidavit on page nine, the last answer, line three
18 thereof, the figure as shown by comparison with the
19 Japanese original should be 1944.

20 Q Please state your name and residence, Mr.
21 Witness.

22 A KASAHARA, Yukio, Kanagawa Prefecture,
23 Ashigara Shimo County, Shimo-Nakamura, Kobune.

24 MR. BLAKENEY: I ask that the witness be
25 handed defense document 1151.

1 (Whereupon, the document above
2 referred to was handed to the witness.)

3 Q I ask you, Mr. Witness, to examine that
4 document and state whether it is your affidavit,
5 signed and sealed by you?

6 A This is a document written by me and my
7 signature appears thereon.

8 Q Are the contents thereof true and correct?

9 A Yes.

10 MR. BLAKENEY: I now offer in evidence the
11 affidavit, defense document 1151.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Defense document
14 No. 1151 will receive exhibit No. 2670.

15 (Whereupon, the document above
16 referred to was marked defense exhibit
17 No. 2670 and received in evidence.)

18 MR. BLAKENEY: I wish to state that in
19 reading I shall omit all after the last answer but
20 one on page 14. Omitting the formal parts the
21 affidavit is as follows:
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23
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25

KASAHARA

DIRECT

1 (Whereupon, the document above
2 referred to was handed to the witness.)

3 Q I ask you, Mr. Witness, to examine that
4 document and state whether it is your affidavit,
5 signed and sealed by you?

6 A This is a document written by me and my
7 signature appears thereon.

8 Q Are the contents thereof true and correct?

9 A Yes.

10 MR. BLAKENEY: I now offer in evidence the
11 affidavit, defense document 1151.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: Defense document
14 No. 1151 will receive exhibit No. 2670.

15 (Whereupon, the document above
16 referred to was marked defense exhibit
17 No. 2670 and received in evidence.)

18 MR. BLAKENEY: I wish to state that in
19 reading I shall omit all after the last answer but
20 one on page 14. Omitting the formal parts the
21 affidavit is as follows:
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KASAHARA

DIRECT

1 "Q Will you state your positions and terms of
2 service in the Kwantung Army?

3 "A I was the vice-chief of staff from August
4 1937 to October of the same year, and Commander
5 of the 12th Division in Tong Niang from May, 1941,
6 to August, 1942. I served also as Chief of Staff
7 from August, 1942, to April, 1945.

8 "Q Will you state the times you worked under
9 Commanders-in-Chief UMEZU and YAMADA?

10 "A I worked under UMEZU not only at the time
11 I was Commander of the 12th Division, but also from
12 August, 1942, to August, 1944, as the Chief of
13 Staff, his direct subordinate and Chief Staff Offi-
14 cer. After that I was a direct subordinate of
15 YAMADA as his Chief Staff Officer.

16 "Q What contact had you with these Commanders-
17 in-Chief?

18 "A Since I was their Chief of Staff, I was
19 always close to them and received their instructions
20 on all kind of matters, as well as giving them my
21 own opinions.

22 "Q Will you state how the operational plans
23 of the Kwantung Army were made?

24 "A We used to receive 'the Operations Plan of
25 the Imperial Japanese Army' as an instruction for

KASAHARA

DIRECT

1 the Commander-in-Chief of the Kwantung Army from
2 Tokyo, and we made up the detailed plans according
3 to it at the headquarters of the Kwantung Army.
4

5 "Q Were those instructions given regularly
6 every year?

7 "A They were usually given, but if not we
8 followed the previous year's plan. In 1943 no plan
9 was sent, and we followed the previous one; however
10 in other years they always sent us instructions and
11 we made up the plans according to each instruction.

12 "Q Why was the plan of 1943 to follow the
13 previous year's one?

14 "A I was told that it was because the Pacific
15 War had become more intense, and it had become diffi-
16 cult to draft a plan of operation against the
17 U.S.S.R.; therefore we were obliged to follow the
18 previous one.

19 "Q The plans for the years previous to 1943
20 show operations by main forces in the southern
21 Maritime Province. Why was an offensive operation
22 planned?

23 "A I don't know very well about it before my
24 arrival in Ksinking, but the plan of 1942 (the plan
25 for 1943 followed this one) had a content of assum-
~~ing an offensive in the southern Maritime Province.~~

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1 the Commander-in-Chief of the Kwantung Army from
2 Tokyo, and we made up the detailed plans according
3 to it at the headquarters of the Kwantung Army.
4

5 "Q Were those instructions given regularly
6 every year?

7 "A They were usually given, but if not we
8 followed the previous year's plan. In 1943 no plan
9 was sent, and we followed the previous one; however
10 in other years they always sent us instructions and
11 we made up the plans according to each instruction.

12 "Q Why was the plan of 1943 to follow the
13 previous year's one?

14 "A I was told that it was because the Pacific
15 War had become more intense, and it had become diffi-
16 cult to draft a plan of operation against the
17 U.S.S.R.; therefore we were obliged to follow the
18 previous one.

19 "Q The plans for the years previous to 1943
20 show operations by main forces in the southern
21 Maritime Province. Why was an offensive operation
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1 The reason was that if Japan should fight the U.S.S.R.
2 it would be the duty of the Kwantung Army to attack
3 the airbases in the Maritime Province by all means,
4 since one of the most difficult problems in defense
5 of Japan Proper was that they might immediately
6 bomb Japan Proper and sea-communications with planes
7 based on the Maritime Province. As for the Kwan-
8 tung Army, this plan was an offensive unavoidable
9 for self-defense. The Soviet Army based 170 long-
10 range bombers, TB-3's, on the Maritime Province,
11 and this fact constituted a grave menace to Japan.

12 "Q Would not the occupation of the southern
13 Maritime Province alone have been a death-blow to
14 the whole Soviet Army?

15 "A No. The occupation of the Maritime Prov-
16 ince alone would not be a death-blow to the Red
17 Army; it was the minimum requirement for our self-
18 defense.

19 "Q If this is so, how did you plan to termin-
20 ate the war with the U.S.S.R.?

21 "A We anticipated a decisive battle between
22 main forces on the western front after the occupa-
23 tion of the Maritime Province, but Tokyo gave us no
24 instruction about this. We would have, so we ex-
25 pected, a maximum strength of about 40 divisions

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one year after the outbreak of the war, but the Red Army's power would be about 70-80 divisions by that time, so it would be very difficult to defeat them. We thought that we would be quite fortunate if we could hold the line of the Khingan Mountains for a protracted warfare. I was stricken by horror when I imagined the progress of operations in the eventuality of a war against the U.S.S.R.

"Q What was the position of the strength of the Kwantung Army compared with that of the Far Eastern Red Army?

"A Our strengths were always inferior to theirs. For example, during the five years from 1932 to 1936 the Kwantung Army had three divisions, one mixed brigade, two or three cavalry brigades and not more than 200 airplanes. This strength was never increased, while the Red Army was strengthened as follows:

	Sharpshooter-divisions	Cav.	Planes	Tanks
1932	8 - 9	1 Div. & 3 Brig.	200	500
1936	16 - 20	4 Divs.	1,200	1,200

Comparativestrengths of the two armies at the time of the outbreak of the Russo-German War (the spring of 1941) were as follows:

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	Sharpshooter-Divisions	Planes	Tanks
Kwantung Army	12	800	200-300
Red Army	30	2,500	2,500

By the end of 1941 the Soviet Army transferred some of its strength to the West and it was, therefore, weakened but still superior to us, as the following table shows:

	Sharpshooter-Divisions	Planes	Tanks
Kwantung Army	13	500 (?)	
Red Army	23	1,000	1,000

The comparison of strength in 1943 was as follows:

	Sharpshooter-Divisions	Planes	Tanks
Kwantung Army	15	400	900
Red Army	19	1,100	1,000

"Q If the Japanese Army was so much inferior to the Soviet Army as you have just mentioned, you could not have had any hope of victory in the event of war against the latter. Why did you not make efforts for the reinforcement of the Japanese Army?

"A When I was Chief of the Russian section in the General Staff Office (1933) the whole Japanese Army had only 16 Divisions, 100 tanks and not more than 1,000 planes, while the U.S.S.R. had 70 Divisions (3,000,000 men) and 2,000 planes. Seven

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1 hundred additional tanks were being made in every
2 half year; military expenditures were doubled; their
3 power, especially mechanized forces, was reinforced
4 with wonderful speed. Considering this fact, and,
5 especially being afraid of difficulties in case of
6 Soviets' armed interference in the Manchurian ques-
7 tion, section chiefs of the General Staff and the
8 War Ministry gathered and planned the expansion of
9 our military power in order to cope with the U.S.S.R.
10 We agreed upon accomplishing our preparations by
11 1934, but finding that carrying out of the plan
12 was entirely impossible with the national power of
13 Japan, after making concrete estimation of the
14 necessary materials and money, we were obliged to
15 abandon this plan, made with much effort, and to
16 agree to complete armaments as much as possible.
17 Because of such circumstances much desired improve-
18 ment of armaments could not be carried out, and
19 the Kwantung Army had to remain inferior in strength
20 to that of the U.S.S.R.

21 "Q Do you know anything about Japan's having
22 had a plan of aggression against the territory of
23 the U.S.S.R.?

24 "A I can testify concerning only operational
25 plans, not war plans. The Army staffs drew up the

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1 plans of operations, but the war plans were under
2 the jurisdiction of the cabinet and not matters
3 for military staffs. In the plans of opera-
4 tions the only subject was the manner of operation
5 in the event of an outbreak of war, and the object
6 of war or the starting of war, etc. -- matters
7 connected with war plans -- were never touched
8 upon. I should think this is true in every country.
9 I distinctly knew that the Army had no plan of war
10 at all, and I had never heard that the Cabinet
11 had any. But as for me, I thought there was no
12 hope of victory in a war against the U.S.S.R.,
13 since I knew that our power was inferior to theirs.
14 I believed that an aggressive plan against Soviet
15 territory would be thoroughly impossible in view of
16 our inferior armed strength.

17 "Were you the commander of the 12th Division
18 at the time of the KANTOKUEN?

19 "A Yes.

20 "Q Were you given any special instructions
21 by the Commander-in-Chief of the Kwantung Army at
22 that time?

23 "A At the time of the outbreak of the Russo-
24 German War I received a special order from the
25 Commander-in-Chief of the Kwantung Army to make

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23 "A At the time of the outbreak of the Russo-
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25 Commander-in-Chief of the Kwantung Army to make

1 efforts for prevention of any border clashes, since
2 we could not be sure that the U.S.S.R. would never
3 attack us, and to strengthen the preparation for
4 defensive operations against U.S.S.R. Accordingly
5 I hurriedly constructed second-line fortifications
6 behind the front line on the heights east of
7 Sekimonshi and east of Hakutsoanshi, and also a
8 third line on the heights southeast of Rokokusan.

9 "Q Why were not the second and the third-line
10 fortifications constructed previously?

11 "A Reasons lay in monetary cost and manpower
12 for the work. By the Kantokuen plan our funds and
13 military personnel were increased, and we could
14 achieve our long cherished desire.

15 "Q Do you know anything else about Kantokuen?

16 "A In August of the next year I was appointed
17 the Chief of Staff of the Kwantung Army, and had
18 opportunity to learn the outline of the Kantokuen
19 from papers and reports by my subordinates.

20 "Q Will you give its summary?

21 "A With the outbreak of the Russo-German War,
22 in view of the existence of the German-Japanese
23 Pact the Soviets might attack us, thinking that a
24 Russo-Japanese War would be unavoidable after all;
25 since the strength of the Kwantung Army and the

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1 Soviet Far Eastern Army were much different, as I
2 stated before such an occurrence would be very
3 dangerous for us; therefore the object of the
4 Kantokuen was to complete the Kwantung Army's
5 defensive power by expanding its strength. That is
6 to say, reinforcement by two divisions (the 51st
7 and the 57th divisions, which had second-rate
8 equipments) and attached companies, and replacement
9 of men and horses (300,000 men in total). This
10 plan was called Kantokuen. In truth, however,
11 since there was no indication of the U.S.S.R.'s
12 assuming positive policy against us, the newly
13 despatched 51st division was transferred to China and
14 Formosa in September.

15 "Q Did it not mean the drawing up of a new
16 plan of operations named Kantokuen?

17 "A No, it signified only the expansion re-
18 inforcement of the Kwantung Army's strength.

19 "Q Why did they use such a secret term?

20 "A The Kwantung Army used to employ such
21 secret terms for all maneuvers, transportation,
22 fortification work or railroad work, etc., for
23 simplicity of reference and for secrecy. Kantokuen
24 was not the only secret term so employed.

25 "Q Was there not some plan of aggression

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1 against the U.S.S.R. by seizing the opportunity
2 of the Soviet Army's removal to the West in connec-
3 tion with the outbreak of the Russo-German War?

4 "A We were instructed from Tokyo that Japan
5 would devote all her efforts to settling the China
6 Incident, as before, and that we should forestall
7 trouble with the U.S.S.R. We were never instructed
8 concerning our aggression against the U.S.S.R.

9 "Q Have you any other facts to prove this
10 point?

11 "A The replenishment of the divisions was
12 not a complete mobilization (70-80 per cent of the
13 war-time organization); only two additional divi-
14 sions were despatched. At that time in the plan of
15 operations the standard was prescribed, in the
16 eventuality of a Russo-Japanese War, that the 14
17 divisions in Manchuria should be replenished to
18 full war-time strength, and 16 other divisions
19 should be transferred to Manchuria from Japan
20 proper and other regions. Relations with the
21 United States becoming strained at that time, there
22 could have been no plan for operations on two fronts.

23 "Q Was there any change in the plan of opera-
24 tions of the Kwantung Army after the outbreak of
25 the Pacific War?

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1 "A Since the personnel, equipment and muni-
2 tions of the Kwantung Army were gradually trans-
3 ferred to the south, resistance on the Manchurian
4 border was planned in 1944, but in 1945 the plan
5 was for retreating gradually into Manchurian inland
6 and if necessary, abandoning Manchuria and holding
7 out in the southeastern Manchurian mountains. Under
8 this plan the construction of fortifications in
9 the rear, which could not be done before, was
10 carried out.

11 "Q How much power was transferred to the
12 south?

13 "A I do not remember exactly, but at first
14 some battalions and regiments were transferred
15 from divisions; later the divisions themselves
16 were transferred. By the end of 1945 no highly
17 trained divisions were left, only newly-organized
18 divisions remaining. Tanks and planes were trans-
19 ferred from the fall of 1943 and at the end of 1944
20 we had almost no tanks and only about 100 planes.
21 Munitions and fuel were simultaneously transferred,
22 so that we could hardly hold out for even one battle.

23 "Q In such circumstances, what did you think
24 would be the result if the U.S.S.R. participated
25 in the war?

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1 "A I thought there would be no hope for us;
2 therefore I hoped Japan could make Russia remain
3 neutral by diplomacy or other means, and always
4 exerted all my efforts not to irritate her.
5

6 "Q Do you know the circumstances in which
7 General UMEZU was appointed Commander-in-Chief of
8 the Kwantung Army?

9 "A Since I was in charge of personnel affairs
10 as Chief of General Affairs in the General Staff
11 at that time, I do know the circumstances.

12 "Q Will you state them?

13 "A Since the basic policy of the Japanese
14 government as well as of the Japanese army then was
15 to avoid trouble with the U.S.S.R., UMEZU was selec-
16 ted as the man to satisfy best the following re-
17 quirements as the Commander-in-Chief of the Kwan-
18 tung Army at that juncture: namely, the character
19 of the man should be such as to invite no trouble
20 with the U.S.S.R.; he should be a fair, steady and
21 careful man who could put on immediate and sure
22 end to a trouble, and could settle it in a peaceful
23 manner. Not only he, the Commander-in-Chief, but
24 also the Chief of Staff, Vice-Chief of Staff and
25 staff officers in charge of operations were also
selected on the same principle.

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1 "Q What kind of measures did UMEZU take for
2 prevention of troubles?

3 "A (a) He made up the Border Guard Regula-
4 tions and established non-fortified zones along the
5 border, thus removed causes of border troubles.

6 "(b) An item of his instructions given to
7 me when I assumed the position of a division comman-
8 der was prevention of trouble between Japan and the
9 U.S.S.R.

10 "(c) He very often gave instructions con-
11 cerning prevention of troubles on the border to the
12 corps commanders meetings which were held twice a
13 year and which I also attended.

14 "(d) He gave me the direction when I arrived
15 at Hsinking as the Chief of Staff that in our rela-
16 tions with the U.S.S.R. our attitude should be 'not
17 to invade, not to be invaded', thereby preventing
18 border trouble.

19 "(e) He also advised the Manchoukuo govern-
20 ment to avoid irritating the U.S.S.R.

21 "(f) He inspected the front very often, and
22 did his best to see that his policy might be thor-
23 oughly understood by his men.

24 "Thus during the five years of his term
25 there was not a single serious border incident.

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1 "Q What have you to say of the guidance given
2 to the White Russians in Manchoukuo?

3 "A In spite of the fact that the White Russians
4 had no nationality, U.S.S.R. or any other, as resi-
5 dents in Manchoukuo they were treated almost the same
6 as Manchoukuo nationals. At first the Special
7 Service Organ took charge of their guidance in all
8 matters; but in 1943 everything except purely mili-
9 tary matters was put in charge of the Manchurian
10 government, and the White Russian Guidance Committee
11 was established with officials and civilians as
12 members to advise the government on giving them
13 guidance.

14 "Q What are the 'purely military matters'?

15 "A They were instruction in military matters
16 in preparation for their employment for the defense
17 of Manchoukuo in case of war, or preparation for
18 utilizing them in wartime intelligence service,
19 propaganda, etc. But these were not for them only;
20 Japanese, Manchurian and Korean nationals were also
21 given the same training.

22 "Q What White Russian troops were there?

23 "A There were organized three groups (Shokako,
24 Hailar and Odokashi, totalling 800) for the sake
25 of sharing a part of the Manchurian national defense.

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2 Service Organ, in the form of military training
3 as well as intelligence service. However, in
4 consideration of their ability and of the fact
5 that their existence might irritate the U.S.S.R.,
6 they were reorganized in 1944 on the same basis as
7 the Manchurian Army and at last were abolished in
8 the following year.

9 "Q Did you use them in peace-time?

10 "A We used them in the intelligence duty, but
11 not any other services.

12 "Q How were they to be utilized at the time
13 of Kantokuen?

14 "A Although some preparations were made, they
15 were never sent secretly into Soviet territory.
16 Lest it might irritate the U.S.S.R., their employment
17 in such a way was specially prohibited.
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1 "Q What was the reason that the preparations
2 for the training of additional interpreters was
3 ordered in the name of the Commander-in-Chief?

4 "A It was an order for preparedness
5 for an emergency. Usually instructions on such
6 slight matters would be given in the name of the
7 Chief of Staff; that this one was given in the name
8 of the Commander-in-Chief might have been due to
9 mistake in administrative routine.

10 "Q Did you ever plan the employment of
11 White Russians in the operations plans?

12 "A We thought of using them for the national
13 defense of Manchoukuo in wartime; however, considering
14 their number and ability, their employment was not
15 considered seriously. Accordingly there was nothing
16 about their employment in the plans of operations.

17 "Q Were the papers concerning guidance
18 to be given to White Russians presented at the
19 conference of the chiefs of the special service
20 organs approved by the headquarters of the Kwantung
21 Army?

22 "A Since they were contrary to the policy
23 of the Commander-in-Chief, I ordered them amended.

24 "Q What attitude did the Kwantung Army
25 adopt toward Semconoff?

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1 "A Since he had cooperated with the Japanese
2 Army at the time of the Siberian expedition, it seemed
3 true that he was helped out by the Japanese Army in
4 financial and other matters for a few years after
5 that incident. However, since he was extremely
6 factious and biased and was unpopular among the
7 White Russians, it was feared that he might destroy
8 the harmony among them and exert a bad influence
9 on the friendship between Japan and the U.S.S.R.
10 The Kwantung Army therefore severed relations with
11 him entirely and ordered him to live in Dairen in
12 order to prevent him from travelling in Manchuria.

13 "Q Did not the Army give him monthly
14 allowances and utilize him in intelligence service?

15 "A Considering his past cooperation with
16 the Japanese Army, we took pity on his life of
17 poverty and gave him about ¥1,000 a month. However,
18 such a small amount of money was too little to be
19 a reward for any special services. The headquarters
20 of the Kwantung Army never received any information
21 from him; I too never received such information
22 through the Special Service Organ nor saw it.
23 Neither the Commander-in-Chief, nor staff officers
24 including myself of the Kwantung Army headquarters
25 ever interviewed him at all. If we had had any

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8 the harmony among them and exert a bad influence
9 on the friendship between Japan and the U.S.S.R.
10 The Kwantung Army therefore severed relations with
11 him entirely and ordered him to live in Dairen in
12 order to prevent him from travelling in Manchuria.

13 "Q Did not the Army give him monthly
14 allowances and utilize him in intelligence service?

15 "A Considering his past cooperation with
16 the Japanese Army, we took pity on his life of
17 poverty and gave him about ¥1,000 a month. However,
18 such a small amount of money was too little to be
19 a reward for any special services. The headquarters
20 of the Kwantung Army never received any information
21 from him; I too never received such information
22 through the Special Service Organ nor saw it.
23 Neither the Commander-in-Chief, nor staff officers
24 including myself of the Kwantung Army headquarters
25 ever interviewed him at all. If we had had any

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1 intention of utilizing him, we should have allowed
2 him to travel around Manchuria freely, for it
3 was entirely impossible to gather information or
4 conduct activities while living in Dairen.

5 "Q What was the relation between him and
6 the Special Service Organ in Dairen?

7 "A Colonel YASUE had close private relations
8 with him when the former was the chief of the Special
9 Service Organ in Dairen; however, since YASUE
10 interfered in the gold-brick case which Semeonoff
11 had agitated for ten or more years and showed an
12 attitude to defend Semeonoff, he was placed on
13 reserve list for that reason (in about 1938).
14 Colonel UKAI, who was successor to YASUE, held to
15 a firm policy of non-interference in regard to
16 Semeonoff."

17 I read no further than that. I have a
18 few additional questions which, by leave of the
19 Tribunal, I should like to put to the witness.

20 THE PRESIDENT: Put them after the mid-
21 afternoon recess. We will recess now for fifteen
22 minutes.

23 (Whereupon, at 1445, a recess was
24 taken until 1500, after which the proceed-
25 ings were resumed as follows:)

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Major Blakeney.

4 BY MR. BLAKENEY: (Continued)

5 Q Mr. Witness, have you at my request read that
6 part of the evidence in this case consisting of Soviet
7 estimates of Japanese strength in Manchukuo?

8 A Yes.

9 Q Are those estimates, insofar as they pertain
10 to the time when you were in Manchuria, correct?

11 A Both the ground forces and the air forces have
12 been exaggerated -- overestimated.

13 Q What can you say in regard to the Soviet
14 contention that reinforcement was made of Japanese
15 land and air forces throughout Manchuria? After 1941?

16 A The number of divisions were increased and also
17 the number of army units were increased after 1941,
18 but these increases were very slight as I have pointed
19 out in my affidavit.

20 Q And what, in regard to the building of bases
21 near the border -- bases or fortification?

22 A According to the evidence shown to me pre-
23 viously it is indicated that there were many air bases
24 in the direction southeast -- southwest of Hailar but,
25 as a matter of fact, there were only one or two such

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1 bases there. From the standpoint of operations
2 planned it would be foolhardy -- from the standpoint
3 of operations planned, the west front was along --
4 in the vicinity of Hailar and it would be foolhardy
5 inasmuch as the plans called for a forestalling
6 defensive operation to create such air bases in front
7 of such lines for defensive purposes. As a matter
8 of fact it would render the Soviet operations easy
9 by doing such a thing.

10 Q Explain to the Tribunal the reason for the
11 number of air bases built by the Kwantung army in
12 Manchukuo?

13 A It is a fact that air bases were established
14 in Manchukuo and that the number of air bases was out
15 of proportion to the small number of planes which the
16 Japanese had there. Perhaps there were more air
17 bases than the number of planes called for. However,
18 the reasons therefore are as follows: the reason is
19 this. That in order to fight superior Soviet planes
20 with inferior Japanese planes it would be more rational
21 in order to render effective the fighting on the
22 Japanese part to have more bases, and by having more
23 bases render the Japanese air force greater freedom
24 of movement and action. Another reason is that in view
25 of the fact that Japanese planes were inferior in

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1 strength it would be necessary to disperse these
2 planes to a number of places instead of concentrating
3 them at a few points. For these two reasons more air
4 bases were constructed than the number of planes
5 called for. Even then the figures presented by the
6 prosecution represent a highly exaggerated estimate
7 of the number of bases created by the Japanese and
8 if one compares the number of Japanese air bases
9 with those of the Soviet Union, the Japanese were
10 inferior; that is to say, that the Soviet Union had
11 more air bases than the Japanese.

12 Q Now one last question. When did the Kwantung
13 army commence paying the pension which you have
14 mentioned to Semenoff?

15 A From 1943.

16 MR. BLAKENEY: You may cross examine.

17 THE PRESIDENT: Colonel Ivanov.
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CROSS-EXAMINATION

COLONEL IVANOV: Your Honor, taking into consideration the fact that the witness KASAHARA appears on the witness stand not for the first time, I refer you and the Members of the Tribunal to exhibits No. 692, 693, 695, 696, 697, 698, and 702. Also to the following pages of the transcript: 7,447, 7,482, 7,490, 7464, 7510, 7,509, 7,459-99, 7,618, 7,630, and 7,638.

BY COLONEL IVANOV:

Q Mr. Witness, do you know that the Tri-Partite Pact concluded between Japan, Germany, and Italy was the basis of the foreign policy of Japan and determined Japan's attitude toward the Soviet Union after the outbreak of the Soviet-German war?

THE PRESIDENT: Major Blakeney.

MR. BLAKENEY: I object to that question as being wholly without the scope of the direct testimony.

THE PRESIDENT: Well, it appears to be, Colonel, wholly outside the scope of the examination in chief, that is, of the affidavit.

Q Do you know Mr. Witness, that according to the decision taken in Tokyo in July, 1941, secret preparation for the solving of the so-called northern problems by way of war with the Soviet Union was made?

1 A I have never heard of any war that was to be
2 started from the Japanese side.

3 Q You were commander of the 12th Division
4 of the Kwantung Army and were in Manchuria in 1941
5 when Germany suddenly attacked the Soviet Union, were
6 not you?

7 A Yes.

8 Q Does not this circumstance explain the fact
9 that you, at that time, knew nothing of the decisions
10 taken in Tokyo at the Imperial conference and of the
11 measures carried out by the General Staff against the
12 Soviet Union?

13 A No, I don't know anything about any preparations
14 for an attack against the Soviet Union. Rather than
15 that I am only familiar with this, that the Kwantung
16 Army was instructed to avoid any trouble with the Soviet
17 Union and to take such measures as would reenforce
18 the defensive structure of the Japanese side in that
19 area; and I was instructed to that effect by the
20 commanding general of the Kwantung Army.

21 Q If you know nothing of the documents drawn up
22 in Tokyo in 1941, which were historic documents for
23 Japan, we shall pass, then, for a period of time to one
24 of the documents drawn up personally by you.
25

 Mr. Witness, do you remember that in March,

1 1931, you drew up the document entitled, "Views Con-
2 cerning our Imperial National Defense against the
3 U.S.S.R."?

4 THE PRESIDENT: Major Blakeney.

5 MR. BLAKENEY: Unless counsel can state some
6 fact making it apparent what relevance a document
7 drawn in 1931 would have, I object to any cross-
8 examination in connection with it.

9 COLONEL IVANOV: The title of the document,
10 itself, which I just read, shows that it has direct
11 relation to the matters cleared by the witness in his
12 affidavit. The document deals with the military
13 preparation of Japan against the Soviet Union, the
14 military measures which were worked out by the witness
15 himself, and submitted by the witness to the General
16 Staff of Japan. The document establishes the real
17 attitude of the witness toward these questions and his
18 real conduct, and, besides, fully clears up the question
19 of the credibility of his evidence given to the defense
20 in his affidavit.

21 Besides, this document shows the attitude of
22 the Japanese General Staff and the Japanese Government
23 to the questions with which the Tribunal is concerned.
24 We shall introduce this document for identification
25 and the Tribunal will decide as to its future -- as

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1 to the future fate of this document.

2 MR. BLAKENEY: I was not able to understand
3 the title of the document, but, whatever it may be,
4 if offered or if it is proposed to cross-examine on
5 it for the point last mentioned by counsel it is wholly
6 unrelated to the testimony in chief and must be excluded
7 from cross-examination.

8 If the prosecution desired to introduce
9 evidence of a Japanese aggressive intention against
10 the U.S.S.R. in 1931, they had the opportunity, but
11 not by cross-examination of a witness whose testimony
12 goes no earlier than 1935.

13 THE PRESIDENT: The witness, in his affidavit,
14 refers to the Russian strength in 1932, but, of course,
15 for purposes of comparison only.

16 COLONEL IVANOV: Your Honor, first I shall
17 read the title of this document. It is, "Views Con-
18 cerning our Imperial National Defense against the
19 U.S.S.R."

20 THE PRESIDENT: Well, he also contrasts the
21 Russian strength in 1933 with the Japanese.

22 COLONEL IVANOV: Besides, I would like to draw
23 the Tribunal's attention to the fact that in this
24 document the military measures are worked out for ten
25 years, that is, up to 1941. Thus, the identification

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1 of this document, as suggested by me, is directly con-
2 nected with the affidavit of the witness, and it is
3 relevant to all those questions with which the witness
4 deals in his affidavit.

5 THE PRESIDENT: It goes back earlier than 1935,
6 certainly. It appears in paragraph -- in the answer
7 on page 5 that the Russians, according to the witness,
8 were increasing their strength every half year from
9 1933 on. However, 1931 appears to be too early.

10 COLONEL IVANOV: Your Honor, I respectfully
11 draw the attention of the Tribunal to the fact that
12 contents of the measures worked out in this document
13 were planned for ten years, that is after 1941. The
14 affidavit mentions 1932.

15 I can serve on the Tribunal the English text
16 of the document for preliminary reading.

17 THE PRESIDENT: By a majority, the Court over-
18 rules the objection and allows the question.

19 Q COLONEL IVANOV: May the witness be shown a
20 photo copy of this document - or the original of this
21 document?

22 (Whereupon, a document was handed to the
23 witness.)

24 Q Read it, Mr. Witness, and tell us, was this
25 document drawn by you? Do you recognize this document?

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20 photo copy of this document - or the original of this
21 document?

22 (Whereupon, a document was handed to the
23 witness.)

24 Q Read it, Mr. Witness, and tell us, was this
25 document drawn by you? Do you recognize this document?

1 A Yes.

2 Q Tell, Mr. Witness, is your seal of the Military
3 Attache to the Imperial Japanese Embassy in the U.S.S.R.,
4 Lieutenant Colonel, Cavalry, KASAHARA, affixed to this
5 document?

6 A Yes.

7 Q What is the title of this document, what is
8 the date of the document, and what is the number of
9 the document?

10 A Views of Japanese Defense vis-a-vis the Soviet
11 Union; the date, March 1931.

12 Q Isn't this document stamped 'Secret'?

13 A Yes.

14 Q Was this document written by you personally?

15 A Yes.

16 Q You recognize all ten pages of the document
17 shown to you, is that so?

18 A I have not read it all so I cannot say for sure,
19 but generally I think this is what I have written.

20 Q Didn't you send this document to Tokyo to the
21 General Staff?

22 A Yes.

23 COLONEL IVANOV: In order to help the honorable
24 Members of the Tribunal follow the further cross-
25 examination concerning the identification of this

1 document, I consider it possible to introduce it into
2 evidence now.

3 This document has been identified by the witness,
4 and I now tender in evidence prosecution document
5 3029, a report of the Japanese Military Attache,
6 KASAHARA Yukio, to the General Staff in Tokyo.

7 THE PRESIDENT: Major Blakeney.

8 MR. BLAKENEY: The witness has said that he
9 has not yet read the contents and cannot state them
10 to be correct. And until such time as he can I object
11 to its reception in evidence.

12 THE PRESIDENT: His acceptance is quite suffi-
13 cient. The document is admitted on the usual terms.

14 CLERK OF THE COURT: Prosecution document 3029
15 will receive exhibit No. 2671.

16 (Whereupon, the document above
17 referred to was marked prosecution exhibit
18 No. 2671 and received in evidence.)

19 BY COLONEL IVANOV (Continued):

20 Q Mr. Witness, didn't you write in the first
21 section of this document that the Soviet Union at that
22 time was unable to wage a large-scale war?

23 A Yes. However, this estimate of Soviet strength
24 was made while I was a resident of the Soviet Union in
25 Moscow. However, after returning to Japan and seeing

1 the military equipment, installations, and the situa-
2 tion in Japan, and after comparing the situation as I
3 found in the Soviet Union and the situation as it
4 existed in Japan, I found my previous estimate was
5 wrong. And I discovered that because of the poorness
6 of the condition of the Japanese army, I came to the
7 conclusion that my previous estimate and judgment had
8 been entirely mistaken.

9 Q I ask you, Mr. Witness, to answer my questions
10 exactly. I ask you to follow my reading of the quota-
11 tions from your document.

12 I quote the first page of the English text and
13 the second page of the Japanese text.

14 "Views concerning a Russo-Japanese war and
15 our policy against the U.S.S.R.

16 "1. The capacity of the U.S.S.R. for urging a
17 war and her future policies.

18 "The present equipment and training of the Red
19 Army have reached a fairly high standard, somewhat
20 superior to those of the combined forces of Poland,
21 Rumania and the other countries along the Baltic Sea;
22 her war-operational capacity, however, in the broadest
23 sense of the word, i.e., her economic power, her muni-
24 tions industries, and her national unity, cannot yet be
25 considered adequate."

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1 THE PRESIDENT: Can't we have simultaneous
2 translations if there is to be much of this? That
3 may be impossible but it doesn't appear so to me.

4 COLONEL IVANOV: Your Honor, everything is
5 ready for the simultaneous translation, and I ask only
6 the technical equipment to be switched off for that
7 purpose. I ask the technicians to take the necessary
8 measures for the simultaneous translation.

9 I shall read the second part of the excerpt.

10 "Even now of course the Soviet Union would
11 find no difficulty in taking hostile action against any
12 single one of the neighboring countries to her west,
13 but supposing that a war against the Soviet Union is
14 begun by all these countries in alliance and with the
15 active backing of a Great Power -- the Soviet Union is
16 certainly not strong enough to carry on the large-scale
17 warfare necessary for such an emergency."

18 Q You wrote that, didn't you?

19 A Yes, I wrote it.

20 Q Didn't you then at that time make recommenda-
21 tions to the General Staff that it was necessary to
22 rout the U.S.S.R. now when she was weak?

23 A I have not made such a suggestion.

24 Q Were you always of the opinion that if Japan
25 wants to be Greater Japan a war against the U.S.S.R.

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1 is inevitable?

2 A Yes, I was thinking about it.

3 COLONEL IVANOV: I shall quote page 1 of the
4 English text, third paragraph. I ask you to translate
5 simultaneously.

6 "Japanese Policy toward U.S.S.R.

7 "As mentioned in the preceding paragraph, the
8 U.S.S.R. will carry out an active policy in proportion
9 as her national power becomes more complete. Such
10 being the case, if Japan is satisfied to be a small
11 Japan, all well and good. But since she wants to
12 remain a great Japan, it will be her unavoidable
13 destiny to clash with the U.S.S.R. sooner or later.
14 However, as mentioned above, considering the capacity of
15 the U.S.S.R. for national defense and the situation of
16 the other Powers, the sooner the Soviet-Japanese war
17 comes, the better for us. We must realize that with
18 every day that the situation develops more favorably
19 for the U.S.S.R.

20 "In short, I hope the authorities will make up
21 their minds for a speedy war with the Soviet Union, and
22 initiate policies accordingly. Taking into considera-
23 tion the fact that the disadvantage of opening a war
24 at present lies not on our side but on their side,
25 irrespective of which is better, peace or war, Japan,

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1 I believe, must adopt a strong policy against U.S.S.R.,
2 firmly resolved not to flinch from war, and must
3 here and now demand a radical solution to the fisheries
4 problem and all the other questions.

5 Q Didn't you recommend to the General Staff to
6 use strategy of routing towards the Soviet Union?

7 A I do not remember that now.
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Q I remind you. I quote the record part of the document, second page of the English text. I quote:

"There must be many essentials for carrying out war against the Soviet Union, but the following are the most important:

"1. Necessity of Annihilating the Enemy.

"We need not expatiate on the necessity for a lightning war in view of its situation. But the far eastern territory of the Soviet Union is very far from its political and industrial centre, and Japan cannot extinguish the enemy altogether by mere occupation of that territory. Merely to defeat them in battle is not enough. By a war of annihilation, we can deliver a heavy psychological blow to the Soviet people and await, together with the measures mentioned in paragraph 3, their internal collapse. There is no alternative for us. Therefore, from the control of the anti-Soviet war down to the organization, equipment and training of troops, all must be carried out according to the great principle of a war of annihilation."

All that was written by you, Mr. Witness, was it?

A Yes, I wrote that.

Q Mr. Witness, didn't you plan also the following

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1 minimum purposes of a war against the USSR?

2 A You mean the operations objective?

3 Q I have in view the following measures of
4 which I will tell you now: First, to advance as far as
5 Lake Baikal now and to make the Soviet Far East occu-
6 pied by the Japanese part of the empire.

7 Was that how you formulated the purposes of
8 a war against the Soviet Union in your document?

9 A Yes, I **thought** of that in the course of the
10 prosecution of the war. I thought so during the course
11 of the war.

12 Q Mr. Witness, didn't you recommend in your
13 plan to refuse from advancing further than Lake Baikal,
14 to the west of the Baikal Lake, and cautiously said
15 that the **principal** purposes of a war against the Soviet
16 Union must depend upon the circumstances? Was not it
17 so?

18 A Yes.

19 Q As to the second paragraph of the second
20 section, page 2 of the English text, follow me:

21 "The End of Operations.

22 "Though we shall expect to bring the war to
23 a prompt decision by an annihilating battle, such as
24 we have mentioned above, circumstances may not always
25 be favorable to our wishes. In this case, it will be

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1 an urgent problem to decide where to end our opera-
2 tions; but we must advance at least as far as Lake
3 Baikal. The general situation or more particularly,
4 the condition of the Western Powers participating
5 in the war will decide for us whether or not we ad-
6 vance still further westwards. In case we stop on the
7 line of the Lake Baikal, the Empire will have to be
8 determined and prepared to consider the Far Eastern
9 Province which she will have occupied as a proper
10 territory of the Empire, to rule it herself, to be
11 resolved upon its permanent occupation, either by her
12 own Army troops or substitutes for them, and to wait
13 for the development of the situation."

14 Did you write all that and send it to the
15 Japanese General Staff? Is that so?

16 A Yes, I did.

17 Q How was it, then, that in your affidavit you
18 said that the Japanese General Staff was not concerned
19 with the questions of the purposes of war and with the
20 question of the general war plans, and at the same time
21 you yourself, being a military attache and an officer
22 of the General Staff, were concerned with this question
23 even in 1931 and submitted them to the General Staff?

24 A This is a report made after my own study of
25 the matter. I merely made the report; whether it would

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1 be adopted by the General Staff Headquarters, that
2 was their question. I merely made a report.

3 Q The Japanese General Staff was concerned
4 precisely with the same questions of which you speak
5 in your document? Is that so?

6 Q It may have made studies, but it had not
7 come to the stage of making any decisions or drawing
8 up any plans.

9 Q Mr. Witness, didn't you **advocate** the
10 course of a speedy opening of a war against the
11 Soviet Union?

12 A Yes, I had such a tendency at that time.

13 Q And at the same time you proposed to increase
14 the armaments for the purpose of being ready for a war
15 at any moment, for a war with the Soviet Union? Was it
16 so?

17 A Yes, at that time I did so advocate.

18 THE PRESIDENT: We will adjourn until half-
19 past nine tomorrow morning.

20 (Whereupon, at 1600, an adjournment
21 was taken until Thursday, 29 May 1947, at 0930.)
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